

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BOARD FOR THE CONDEMNATION OF INSANITARY BUILDING

Find enclosed a list of buildings against which condemnation proceedings have been instituted. This list is current as of April 1, 2004. The following paragraphs will give some insight into why these buildings were condemned and the meaning of condemnation for insanitary reasons.

Each listed property has been condemned by the District of Columbia Government's Board for the Condemnation of Insanitary Buildings (BCIB). The authority for this board is Title 6, Chapter 9, of the District of Columbia Code, 2001 Edition. The BCIB has examined each property and has registered with the record owner (via condemnation) a strong disapproval of the condition in which the property is being maintained. The BCIB has recorded at the Office of the Recorder of Deeds an Order of Condemnation against each property for the benefit of purchasers and the real estate industry.

These properties were condemned because they were found to be in such an insanitary condition as to endanger the health and lives of persons living in or in the vicinity of the property. The corrective action necessary to remove the condemnation order could take the form of demolition and removal of the building by the owner or the BCIB. However, most buildings are rendered sanitary, i.e., the insanitary conditions are corrected by the owner or the BCIB.

The administration of the condemnation program does not take title to property. The title to each property remains with the owner. Accordingly, inquiries for the sale or value of these properties should be directed to the owner of record. Inquiries regarding the owner or owner's address should be directed to the Office of Tax and Revenue, Customer Service, Office of Real Property Tax (202) 727-4829, 941 North Capitol Street, NE, 1st floor.

For further assistance, contact the Support Staff of the BCIB on 442-4486.

**BOARD FOR
THE CONDEMNATION OF INSANITARY BUILDINGS**

NOTICE OF PUBLIC INTEREST

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest</u>			
1106 Allison Street	76	2917	4
809 Butternut Street-Rear	5	2967	4
8R Bryant Street	800	3124	5
7100 Chestnut Street	808	3184	4
1205 Clifton Street	40	2865	1
1323 Corcoran Street	21	240	2
1405R Crittenden Street-Rear	29	2706	4
1502 Decatur Street	32	2707	4
412 Delafield Place	175	3251	4
1123 Fairmont Street-Rear	46	2859	1
1335 Fairmont Street-Rear	64	2830	1
416 Farragut Street-Rear	95	3252	4
617 Farragut Street	106	3212	4
1304 Farragut Street	41	2807	4
519 Florida Avenue	25	3093	1
521 Florida Avenue	26	3093	1
3200 Georgia Avenue	909	2892	1
3203 Georgia Avenue	809	3042	1
3912 Georgia Avenue	104	2892	4
3912 Georgia Avenue-Rear	104	2892	4
3801 Georgia Avenue	55	3028	4
1235 Ingraham Street	64	2931	4
1342 Ingraham Street	75	2804	4
4820 Iowa Avenue	30	2709	4
425 Irving Street-Rear	64	3049	4
535 Irving Street	31	3048	1
535 Irving Street-Rear	31	3048	1
470 K Street	44	516	2
641 Keefer Place	19	3041	1
1331 Kenyon Street	47	2843	1
414 Longfellow Street-Rear	19	3260	4
503 Longfellow Street	50	3206	4
416 Luray Place	77	3044	1
430 Manor Place	65	3036	1
4001 Marlboro Place	48	3313	4
1021 Monroe Street	74	2832	1
1824 Monroe Street	813	2614	1
1342 Montague Street	46	2796	4

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest (cont'd)</u>			
1342 Montague Street-Rear	46	2796	4
3500 Nebraska Avenue	24	1599	3
3816 New Hampshire Avenue	37	3133	4
429 Newton Place-Rear	812	3035	1
1424 North Capitol Street	10	616	5
1424 North Capitol Street-Rear	10	616	5
4922 North Capitol Street	67	3401	4
505 O Street	36	479	5
507 O Street	37	479	5
509 O Street	2001/2002	479	5
820 Otis Place	119	2895	1
88-88 1/2 P Street	825	616	2
219 P Street	113	552	5
3245 Patterson Street-Rear	25	2021	4
619 Park Road	833	3038	1
1000 Park Road	39	2841	1
1424 Parkwood Place	46	2688	1
750 Quebec Place-Rear (garage)	201	3031	1
1001 Quebec Place	63	2902	4
50 R Street-Rear	31	3101	5
403 R Street	801	0507	5
1000 Rhode Island Avenue	19	337	2
1427 Rhode Island Avenue	27	210	2
1429 Rhode Island Avenue	28	210	2
735 Rock Creek Church Road-Rear	58	3130	4
1355 Shepherd Street	45	2823	4
201 T Street	832	3088	1
1421 T Street-Rear	845	205	1
901-01 U Street	88	360	1
903 U Street	89	360	1
613 Upshur Street	72	3226	4
613 Upshur Street-Rear	72	3226	4
131 Varnum Street	803	3321	4
1505 Varnum Street	25	2698	4
911 W Street	067	0357	1
1305 Wallach Place	169	237	1
223 Webster Street	820	3319	4
225 Webster Street	10	3319	4
1227 1 st Street	9	618	5
5233 2 nd Street	16	3396	4
5233 2 nd Street-Rear	16	3326	4
1202 3 rd Street	837	523	2

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northwest (cont'd)</u>			
5807 3 rd Place-Rear	81	3291	4
5311 3 rd Street-Rear	6	3328	4
1222 4 th Street	903	513	2
1416 5 th Street	26	479	2
4109 5 th Street	47	3241	4
1104 6 th Street	859	449	2
1539 7 th Street	179	445	2
1513 8 th Street-Rear	8	421	2
1527 8 th Street	15	421	2
1301 9 th Street	801	399	2
1303 9 th Street	62	399	2
1305 9 th Street	63	399	2
1307 9 th Street	803	399	2
1309 9 th Street	804	399	2
4428 9 th Street-Rear (Addition)	34	3020	4
1513-1515 11 th Street	815	337	2
1725 11 th Street	805	0335	2
2219 13 th Street	86	271	1
3637 13 th Street	145	2829	1
5008 13 th Street	53	2806	4
5008 13 th Street-Rear	53	2806	4
3564 14 th Street	24	2688	1
3614 14 th Street	26	2689	1
5310 14 th Street	13	2716	4
3222 19 th Street-Rear	817	2604	1
1617 21 st Street	136	93	2
4513 45 th Street	73	1588	3

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast</u>			
3701 Benning Road	807	5044	5
2301 Bladensburg Road	41	4359	5
3042 Clinton Street	826	4319	5
1820 Corcoran Street	18	4049	5
600 Division Avenue	13	5196	7
4920 Fitch Place	38	5181	7
26 Florida Avenue	71	3516	5
511 Florida Avenue	43	828	6
629 Florida Avenue	176	855	6
5900 Foote Street	805	5256	7
1907 Kearney Street	45	4206	5
612 M Street	8	855N	6

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Northeast (cont'd)</u>			
4116 Gault Place	67	5077	7
303 K Street	804	775	6
1118 Montello Avenue	71	4070	5
1916 Newton Street	118	4202	5
2422 Otis Street-Rear	48	4298	1
52 Q Street	105	3520	5
58 Q Street	102	3250	5
4608 Quarles Street-Rear	24	5167	7
1515 Rhode Island Avenue-Rear	43	4131	5
115 Riggs Road	85	3701	5
4310 Sheriff Road	819	5097	7
4326 Sheriff Road	831	5097	7
1741 Trinidad Avenue	26	4082	5
142 Webster Street	42	3668	4
1407 West Virginia Avenue	155	4059	5
2413 2 nd Street	38	3556	5
1020 3 rd Street	34	749	6
1022 3 rd Street	33	749	6
2407 3 rd Street	28	3555	5
621 4 th Street	93	810	6
819 7 th Street	22	889	6
821 7 th Street	39	889	6
251 8 th Street	64	917	6
608 8 th Street	45	891	6
802 10 th Street	47	933	6
4100 13 th Street	24	Par 146	5
3122 16 th Street	39	4014	5
4413 16 th Street	5	4617	5
1234 18 th Place	811	4445	5
1236 18 th Place	811	4445	5
3712 24 th Street	42	4242	5
913 43 rd Place	47	5096	7
1044 44 th Street	70	5125	7
919 47 th Street	119	5151	7
945 52 nd Street	803	5199	7
234 56 th Street	144	5250	7
244 56 th Place	145	5249	7
201 63 rd Street	31	5269	7
4928 A Street	23	5331	7
3608 Alabama Avenue	823	5668	7
27 Atlantic Street	54	6170	8
4926 Call Place	33	5336	7

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Southeast</u>			
4030 Call Place	32	5336	7
5000 Call Place	35	5323	7
420 Chesapeake Street-Rear	808	6165	8
422 Chesapeake Street-Rear	809	6165	8
1104 D Street	39	991	6
1720 D Street	87	1100	6
1229 E Street	816	1019	6
3326 Ely Place	807	5444	6
1254 Half Street	99	0701	6
1260 Half Street	144	0701	6
1448 Minnesota Avenue	837	5605	8
430 Morris Road	2	5810	8
2329 Q Street	56	5587	6
1008 South Carolina Avenue	23	970	6
1219 Sumner Road	979	5865	8
1326 Valley Place	849	5799	8
1242 W Street	99	5782	8
1518 W Street	814	5779	8
4001 4 th Street	39	6167	8
1012 7 th Street	11	906	6
1014 7 th Street	10	906	6
102 9 th Street	801	0943	6
2105 13 th Street	681	5782	6
333 16 th Street	82	1074	6
2201 16 th Street	26	5795	8
20 53 rd Place	884	5284	7

<u>BUILDINGS CONDEMNED</u>	<u>LOT</u>	<u>SQUARE</u>	<u>WD</u>
<u>Southwest</u>			
78 Darrington Street-Rear	23	6223S	8
71 Forrester Street	67	6240	8

**BOARD OF ELECTIONS AND ETHICS
CERTIFICATION OF ANC/SMD VACANCIES**

The District of Columbia Board of Elections and Ethics hereby gives notice that there are vacancies in **seven (7)** Advisory Neighborhood Commission offices, certified pursuant to D.C. Official Code §1-309.06(d)(2);2001 Ed.

VACANT: **1C08**
 2B02, 2B05, 2B07

Petition Circulation Period: **Monday, March 29, 2004 thru Monday, April 19, 2004**
Petition Challenge Period: **Thursday, April 22, 2004 thru Wednesday, April 28, 2004**

VACANT: **7D07**

Petition Circulation Period: **Wednesday, April 7, 2004 thru Tuesday, April 27, 2004**
Petition Challenge Period: **Friday, April 30, 2004 thru Thursday, May 6, 2004**

VACANT: **4C05**

Petition Circulation Period: **Monday, April 12, 2004 thru Monday, May 3, 2004**
Petition Challenge Period: **Thursday, May 6, 2004 thru Wednesday, May 12, 2004**

VACANT: **2A06**

Petition Circulation Period: **Monday, April 19, 2004 thru Monday, May 10, 2004**
Petition Challenge Period: **Thursday, May 13, 2004 thru Wednesday, May 19, 2004**

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

**D.C. Board of Elections and Ethics
441 - 4th Street, NW, Room 250N**

For more information, the public may call 727-2525. 

DEPARTMENT OF HEALTH

NOTICE OF AVAILABILITY OF
2003 STORMWATER MANAGEMENT GUIDEBOOK
AND
2003 STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND
SEDIMENT CONTROL

The Department of Health (DOH) announces the availability of the revised *2003 Standards and Specifications for Soil Erosion and Sediment Control*, and the *2003 Storm Water Management Guidebook*. The *2003 Standards and Specifications for Soil Erosion and Sediment Control* describes the standards and specifications employed in the design, review, approval, installation and maintenance of erosion and sediment control practices on land undergoing clearing, grading and development in the District of Columbia. The *2003 Storm Water Management Guidebook* provides guidance for development and redevelopment projects where runoff is discharged into a storm water management facility.

The technical provisions and conditions in the guidance documents were subject to public notice and comment on February 12, 2003. Comments received on the *2003 Storm Water Management Guidebook* encouraged the Department of Health to include guidance on the broad concepts of low-impact development and the capture of storm water in the combined sewer system. The Environmental Health Administration, Watershed Protection Division will address low impact development and the capture of storm water in the combined sewer system in 2004 or in a future revision of the *2003 Storm Water Management Guidebook*.

Copies of these guidance documents are available for inspection at each branch of the District of Columbia Public Library, the Department of Consumer and Regulatory Affairs, and the Department of Health, Watershed Protection Division. Additional hard copies of each can be obtained for a fee of thirty dollars (\$30) and compact disk (CD) copies can be obtained for a fee of fifteen dollars (\$15) by calling (202) 535-2977, or from the following location:

Department of Health
Environmental Health Administration
Watershed Protection Division
51 N Street, NE, 5th Floor
Washington, D.C. 20002

DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH
ENVIRONMENTAL HEALTH ADMINISTRATION

PUBLIC NOTICE
NOTICE OF FUNDS AVAILABILITY

Watershed Protection Project Grants

The District of Columbia Department of Health, Environmental Health Administration (EHA) is soliciting applications from educational institutions, District of Columbia government agencies, and nonprofit organizations to assist EHA with controlling nonpoint source pollution, protecting the District's watersheds, and meeting the District's commitment to assist with the protection and restoration of the Chesapeake Bay. Approximately \$756,000 in federal funds may be available on a competitive basis, pending approval by the U.S. Environmental Protection Agency.

The Request for Applications will be available for pick up beginning April 16, 2004. Applications can be obtained from:

Sheila Besse
D.C. Department of Health
Environmental Health Administration
51 N Street, N.E., Suite 5024
Washington, D.C. 20002

The deadline for application submission is May 28, 2004 at 4:45 p.m. Five hard copies and one electronic copy of the application must be submitted to the address above. For additional information, please contact Sheila Besse, 202/535-2241.

GOVERNMENT OF THE DISTRICT OF COLUMBIA



REQUEST FOR APPLICATIONS

FROM

DISTRICT OF COLUMBIA DEPARTMENT OF HEALTH
Environmental Health Administration
Watershed Protection Division

WATERSHED PROTECTION GRANTS

Announcement Date: April 16, 2004

Application Submission Deadline: May 28, 2004

<u>Projects</u>	<u>Approximate Available Funds</u>
Meaningful Bay Experience	\$20,000
Potomac Sojourn for DC Students	\$5,000
Schoolyard Conservation Sites	\$95,000
Rain Garden Lesson Plans	\$7,500
Rain Barrel Implementation	\$20,000
Water Retention System Contest and Brochure	\$7,500
LID Educational Material	\$21,000
LID Demonstration Projects	\$40,000
Fort Dupont LID Retrofits	\$160,000
Pope Branch LID Retrofits	\$110,000
Watts Branch LID Retrofits	\$110,000
Stormwater Management Guidebook Update	\$60,000
DC Flood Hazard Rules Revision	\$20,000

**The District of Columbia
Watershed Protection Division**

**D.C. WATERSHED PROTECTION DIVISION COMPETITIVE GRANT PROGRAM
GUIDANCE**

Revised March 2004

**Government of the District of Columbia
Department of Health
Environmental Health Administration
Bureau of Environmental Quality
Watershed Protection Division
51 N Street, NE 5th Floor
Washington, DC 20002
(202) 535-2241**

D.C. Watershed Protection Division Competitive Grants Program Guidance

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D.C. Watershed Protection Division Competitive Grants Program Guidance

Purpose of this Guidance

The District of Columbia Watershed Protection Division has available federal funds to prevent and control the introduction of nonpoint source pollution to its waters. The funding sources are a Nonpoint Source Implementation §319(h) grant and a Chesapeake Bay Implementation §117(b) grant provided by U.S. Environmental Protection Agency (USEPA). This guidance explains how to apply for these funds and supplements the attached *Request for Applications*.

Nonpoint Source Pollutants of Concern

One of the Watershed Protection Division's goals is to protect the District's waters from nonpoint source pollution on a watershed wide basis. Nonpoint source pollution (NPS) arises when rainwater accumulates pollutants as it moves over and through the ground. Pollutants are from both natural sources and human activity. **NPS pollutants of concern in the District are nutrients, sediment, toxicants (pesticides, PCBs, heavy metals), pathogens, oil, and trash.** Nonpoint source pollution is a leading cause of surface water pollution in the District of Columbia. The District's priority watershed for nonpoint source control is the Anacostia River watershed. Prevention of nonpoint source pollution is essential if the District of Columbia is to meet its water quality goals.

Minimum Requirements

The following are the minimum requirements for proposals:

- ▶ Projects must relate to preventing or controlling nonpoint source pollution in the District of Columbia.
- ▶ Projects must take place in the District of Columbia.
- ▶ Applications must follow the Guidance.
- ▶ Nonprofit organizations, educational institutions, and other District of Columbia government agencies are eligible to apply.
- ▶ All projects funded will require submitting status reports and a final report summarizing the outcome of the project.

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- ▶ Those applications with a water quality monitoring component must prepare a *Quality Assurance Project Plan* for approval. The Plan must follow current EPA guidelines. Approval is required prior to the start of monitoring.

Matching Funds

An in-kind or non-federal cash match is encouraged and will be a consideration when evaluating proposals for funding. In-kind matches can be met with volunteer hours, supplies, and services. Volunteer matches are calculated on the basis of \$10.00 an hour.

How to Prepare Applications

1. Use plain, white, 8 1/2 x 11 inches recycled paper with a one inch margin on all sides.
 2. Include a cover sheet that lists:
 - Organization submitting application
 - Organization address
 - Project title
 - Local watershed that will benefit from project
 - Target audience
 - Funding amount requested
 - Matching/In-kind amount
 - Whether funds for this project have been requested from any other source, and if so, how much and from what source.
 - Period of grant
 - Federal Tax Identification Number
 - Contact person for project and contact's telephone, fax, and email
 - Signature of authorized representative and date of signature.
 3. Staple the application in the top left-hand corner. No plastic covers or other forms of binding are allowed.
 4. Submit **five** hard copies **and** an electronic copy (on a disk or via E-mail) of the proposal.
 5. Do not submit proposals solely via E-mail or via fax.
 6. All proposals must include the following elements. These elements are described more fully under the section titled **Required Application Content**.
 - A. Cover Page (see #2 above)
-

D.C. Watershed Protection Division Competitive Grants Program Guidance

- B. Summary of Application (one page maximum)
- C. Detailed Scope of Work
 - 1. Project Description
 - 2. Goals and Objectives
 - 3. Partners
 - 4. Description of the Target Audience
 - 5. Tasks and Milestones (including a time line)
 - 6. Plans to Evaluate Success
 - 7. Description of the Members of the Project Team and Their Qualifications
- D. Budget
- E. Appendices - (including Internal Revenue 501(c) documentation)

Required Application Content**A. Summary of Application**

Provide a brief summary of the project. This should not exceed one page.

B. Detailed Scope of Work**1. Project Description**

Describe the project in detail here. Describe the **Purpose** of the project. Explain how specifically this project will help the District of Columbia control or prevent nonpoint source pollution to its waters. What NPS issue or problem will be addressed? What watershed or watersheds will benefit from this project? How does the proposal relate to the mission of your organization?

2. Goals and Objectives

Specify the project's **Goals and Objectives** and how they will be accomplished. Quantify the objectives (e.g., contact 100 people about recycling). If this project is a component of a larger watershed project, explain how the project fits into the larger project.

Lay out the **Plan** to accomplish the goals and objectives.

3. Partners

If you will be involving partners in your project, describe the involvement and resource commitments from other agencies, organizations, or individual partners. Partnerships can improve the success of a project.

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4. Target Audience

If the project is educational in nature, identify the target audience and describe how they are participating. Characterize how the local watershed will benefit from educating this audience.

5. Tasks and Milestones

Provide a list of **Tasks and Milestones**, including **Project Deliverables** (tangibles). Provide a time line when you anticipate each task will be completed, e.g., number of months from the start date.

6. Evaluation Plan

Explain how you will measure the success of the project. Provide quantifiable measurements, e.g., pounds of trash removed, number of individuals contacted.

7. Key Personnel

Describe the members of the project team and their qualifications.

C. Budget

A sample budget is shown in Figure 1. Please use the described format. The budget should include both cash costs and any donated or in-kind contributions (time, services, materials) expected so that the total cost of the project is reflected. Verify that all costs in the budget are allowable (see Allowable vs. Non-Allowable Costs listed below). Documentation must be made available for all expenditures.

- Allowable Costs include:
 1. Administrative costs - accounting, bookkeeping, printing, reproduction, postage, shipping, rental of office space, insurance and telephone costs.
 2. Personnel costs - salaries and wages, employee benefits, and professional services.
 3. Materials and supplies - office supplies, small tools, plants, trees, field equipment, educational materials, simple monitoring equipment, signs.
 4. Travel and lodging if directly associated with the implementation of the project.
- Non-Allowable Costs include:
 1. Major equipment purchases.

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2. Costs associated with lobbying.
3. Entertainment.
4. Interest payments.
5. Food (except that associated with approved travel).
6. Land purchases.

D. Appendices

Provide Internal Revenue 501(c) nonprofit documentation.

Place any supporting documentation to your proposal here, e.g., letters in support of the application.

Application Evaluation

The technical staff of the Environmental Health Administration and the members of the District of Columbia Soil and Water Conservation District will evaluate applications using the criteria listed with each project description. From the numerical ratings, the top projects will be selected for funding based on how much \$319 and \$117 grant funding is available. The Conservation District may remove from competition any proposal that does not meet the minimum requirements stated in this guidance. The U.S. Environmental Protection Agency may require changes in the proposal before it will award funds.

Further Information

Should you have questions concerning the preparation of your application, contact:

Sheila Besse
Department of Health
Environmental Health Administration
Bureau of Environmental Quality
Watershed Protection Division
51 N Street NE, 5th Floor
Washington, DC 20002
Ph.: (202) 535-2241
FAX: (202) 535-1364

*D.C. Watershed Protection Division Competitive Grants Program Guidance***Figure 1: Sample Budget Sheet**

	Column 1	Column 2	Column 3
	APPLICATION REQUEST	NON-FEDERAL MATCH	PROJECT TOTAL
PERSONNEL			
Volunteer Participation			
Organization Employees			
Employee Benefits			
Contract Project Staff			
Total Personnel Costs			
OPERATING			
Postage			
Copy/Printing			
Materials/Supplies			
Rental			
Total Operating Costs			
TRAVEL			
Mileage (Rate @ .30/mile)			
Fares			
Lodging/meals			
Total Travel Costs			
TOTAL OF ALL CATEGORIES			
Budget Notes:			

Note: Not all projects will have costs in all categories. The participation of volunteers should be counted and shown as anticipated number of hours donated x \$10/hour. Add other line items as necessary.

Project: Meaningful Bay Experiences

The District of Columbia Watershed Protection Division has the responsibility of providing a "meaningful stream or Chesapeake Bay experience" for every graduating student in the District of Columbia by 2005. The objective of this experience is to provide an outdoor, hands-on experience that connects students to their watershed and to the Chesapeake Bay and helps create an ethic of responsible citizenship while meeting the District of Columbia DCPS standards for teaching and learning. Projects that provide an experience in nature, on the water will be given more preference than other projects. However, all project submissions are encouraged and will be seriously considered. A meaningful Bay or stream experience should include the following components:

- (1) Experiences are investigative or project oriented where questions, problems, and issues are investigated by the collection and analysis of data, both quantitative and qualitative. Project-orientated experiences include restoration, monitoring and natural resource protection. The use of technology is also encouraged.
- (2) Each project should be designed with a preparation phase, an outdoor action phase and a reflection, analysis and reporting phase.
- (3) The experiences should be an integral and ongoing part of the instructional program, not enrichment or ancillary. The experiences should be integrated into the curriculum, occur over time and be aligned with the District's standards of teaching and learning.

Project outcomes will include:

- District of Columbia Public School students will have had a hands-on water or water related experience connecting them to the Bay
- District of Columbia Public School students will be knowledgeable about some of the issues of the local rivers and the Chesapeake Bay
- Students will have completed an outdoor environmental stewardship project or a field study

Deliverables:

- I) Provide an outdoor forestry, water, etc. experience for students linking them to the Anacostia, Potomac River and Chesapeake Bay.
- II) Document each experience on a report form provided by WPD.
- III) Provide a copy of the curriculum used
- IV) Semi-annual status reports
- V) Final report including pictures of the project

Criteria for ranking Meaningful Bay Experience proposals:

- I. Must provide a hands-on experience and get students on a stream or a river in the Anacostia, Potomac, Chesapeake Bay watershed **(10 points)**
- II. Number of students served along with amount of time students will spend on the project/cost effective **(10 points)**
- III. Does the project meet the three criteria for a meaningful Chesapeake Bay experience (classroom preparation, a project or field study and reflective phase) **(50 points)**
- IV. Strong curriculum **(15 points)**

- V. Outreach component (how the students will be reached/new schools or new teachers not involved in watershed education) **(5 points)**
- VI. Stewardship/implementation component **(10 points)**

Approximate available funds: There is \$20,000 in available funds for two or three proposals. Individual proposals should range in price from \$5,000 to \$10,000.

Project Period: 1-2 years

Project: Potomac Sojourn for District of Columbia Students

The District of Columbia Watershed Protection Division has the responsibility of providing a "meaningful stream or bay experience" for every graduating student in the District of Columbia by 2005. The objective of this experience is to provide a three-day, canoe, kayak or boat experience on the Anacostia, Potomac or Chesapeake Bay that connects students to their neighborhood watershed and the Chesapeake Bay. This experience will provide two days of overnight camping and use the ecology and cultural history of the area to teach the young people about the conservation, restoration and protection of the river. This watershed education must meet the District of Columbia DCPS standards for teaching and learning. A meaningful bay or stream experience should include the following components:

(1) Experiences are investigative or project oriented where questions, problems, and issues are investigated by the collection and analysis of data, both quantitative and qualitative. Project-orientated experiences include restoration, monitoring and natural resource protection. The use of technology is also encouraged.

(2) Each project should be designed with a preparation phase, an outdoor action phase and a reflection, analysis and reporting phase.

(3) A school should be selected where watershed education has been an integral and ongoing part of the school's instructional program. The sojourn experience will be the culminating outdoor experience for some of the class members. The WPD will assist in the selection of a class for this project. A project or field study will be incorporated into the sojourn along with a reflective phase.

Project outcomes will include:

- Students learning how to put up a tent and cook outdoors
- Students learning to paddle, kayak or use nautical terms
- Journaling
- A project or field study
- Animal and plant identification
- Knowledge of Native Americans, watermen or slave trade along the route

Deliverables:

- I) Three-day sojourn for students on the Anacostia, Potomac River or Chesapeake Bay.
- II) Document the experience on a report form provided by WPD.
- III) Semi-annual status reports
- IV) Final report including pictures of the project
- V) Copy of activities or curricula used

Criteria for ranking Sojourn proposals:

- I. Must provide a hands-on experience, get students on a stream or a river in the Anacostia, Potomac, Chesapeake Bay watershed, and provide camping (10 points)
- II. Number of students served along with amount of time students will spend on the project/cost effective (10 points)
- III. Does the project meet the three criteria for a meaningful Chesapeake Bay experience (classroom preparation with teacher, a project or field study and reflective phase) (50 points)
- IV. Environmental education activities or curricula (15 points)
- V. Pollution prevention or conservation emphasis (10 points)
- VI. Cultural or historic emphasis (5 points)

Approximate available funds: \$5,000

Project Period: 1 year

Project: Implement Schoolyard Conservation Site Program, "Greener Schools, Cleaner Water"

A number of opportunities exist at schools to incorporate innovative landscape design techniques into schoolgrounds to help decrease and filter stormwater runoff. In addition to the water quality benefits that can be obtained by utilizing these techniques at schoolyards, these projects also beautify schoolgrounds, increase wildlife habitat and provide an outdoor learning opportunity that supports effective teaching practices and promotes student learning. In the DC metro region, informing students about the negative impact of stormwater runoff and the associated nonpoint source water pollution is especially pertinent due to the declining health of the local waterways and the Chesapeake Bay, recognized as one of the most important national estuaries.

With this in mind, the DC Department of Health, Watershed Protection Division has developed the Schoolyard Conservation Site (SCS) Program, "*Greener Schools, Cleaner Water.*" The SCS Program, now in its third year, provides teachers with the training and financial resources to utilize their schoolgrounds for outdoor environmental education, with an emphasis on nonpoint source water pollution. Teachers are provided with curricula geared towards nonpoint source water pollution education and they are encouraged to utilize low impact development (LID) techniques and other conservation landscaping techniques in their schoolyard habitat designs, to help improve the quality and reduce the quantity of stormwater runoff on their schoolgrounds. It is then expected that students, teachers, and associated communities will learn to develop, utilize and maintain these outdoor greening sites.

The WPD is looking for a grantee to continue to expand the SCS program to District schools. The grantee will work with six schools and a total of 18 teachers pre-selected by the WPD through an application process. There are five components to this program that the grantee will be responsible for conducting:

- 1) Teacher Training and Curriculum Connections
- 2) Design Assistance
- 3) Schoolyard Conservation Site Installation
- 4) Community Connections (Outreach)
- 5) Educational and Schoolyard Conservation Site Installation Evaluation

Note: Potential grantees may consider partnering with other organizations to fulfill all five components of the SCS program.

Teacher Training and Curriculum Connections: To ensure that the selected schools and teachers have an understanding of local water quality issues and to strengthen their skill in outdoor environmental education, the grantee will be expected to conduct a minimum of 5 days of teacher training. Topics of focus include:

- ❖ nonpoint source water pollution,
- ❖ impacts of nonpoint source water pollution on the Anacostia, Potomac, and Chesapeake Bay
- ❖ low impact development and conservation landscaping
- ❖ creating a schoolyard conservation site (site analysis, plant and soil information)
- ❖ team building and utilizing the SCS site/teaching in the outdoors.

Following the trainings, the grantee must provide initial in-school assistance to teachers to help with using the curriculum, designing lesson plans, or other outdoor-teaching related concerns.

Note: DC DOH is interested in providing participating teachers with seat hours, college credit (if training qualifies), or small stipend. An approximate cost of \$300 per teacher for college credit/stipend should be calculated into the proposal budget.

Design Assistance: Grantee will work closely with each school to provide technical assistance. It is expected that they will conduct design charrettes or some other forum with teachers, students, and principals to help with the development of a landscape design plan for the SCS sites. Grantee will also provide assistance with the development of a budget for the installation of the sites. Teachers and students will be expected to conduct a site analysis and collect information on soil conditions, plant materials, and other landscape-related inquiries to assist in design. Grantee must be able to obtain needed DC permits for installation of some potential habitats/low impact development designs, such as rain gardens and rain barrels. Potential conservation site habitats may consist of a combination of the following: rain gardens, rain barrels, removal of asphalt and installation of garden habitat, raised beds, tree plantings, creating wetlands, solving erosion problems, implementing nutrient management techniques, and any other techniques that work to slow and filter stormwater runoff.

Note: Professional blueprints will be required for the installation of rain gardens.

Schoolyard Conservation Site Installation: The grantee will be responsible for ensuring that a SCS is installed at each of the participating schools. Teachers, students, and the surrounding community, should be involved in SCS installation. Additionally, the grantee will assist the school in creating a maintenance plan for each of the sites.

Community Connections (Outreach): In addition to the educational benefits to teachers and students, the SCS Program encourages the involvement of the surrounding school community and parents in the gardens, through assisting with installation and maintenance. Strategies to involve the community should be provided by the grantee to the schools.

Education and Schoolyard Conservation Site Installation Evaluation: Grantee will be required to conduct a pre and post-test for teachers participating in the program and their students. Testing should include knowledge of nonpoint source pollution sources, measures that can be taken to reduce stormwater runoff, knowledge of local waterways and Bay Resources, and techniques of teaching in the outdoors. Following the installation of gardens, the grantee will be required to conduct a follow-up visit in the spring to assess the status of the installed materials.

Project outcomes will include:

- ❖ Awareness by teachers, students, and surrounding community of sources of nonpoint source water pollution, its impacts to their local waterways and the Chesapeake Bay, and how they can help protect their neighborhood river or stream.

- ❖ Involvement by the school body and surrounding community in caring for their schoolgrounds and participating in a hands-on activity that helps improve local water quality.
- ❖ Six schoolyard conservation sites that reduce and filter stormwater runoff, beautify the schoolgrounds, provide wildlife habitat, and provide an outdoor learning area.
- ❖ Strengthening of outdoor environmental education skills for participating teachers.
- ❖ Five model schoolgrounds to showcase to DCPS to encourage the incorporation of outdoor environmental education into DCPS Teaching and Learning Standards and to encourage the DCPS architects to consider these technologies as they move forward on renovating many of the District's schools.

Deliverables:

- ❖ Teacher training schedule for 2004-2005 summer and/or school year.
- ❖ Curriculum that can be utilized for nonpoint source water pollution education, designing landscapes for water quality benefits, and teaching outdoors using the SCS site.
- ❖ Evidence of school visits for assistance in outdoor teaching and site design
- ❖ Landscape design plans (blueprints, if required) for 6 selected schools
- ❖ Budgets for installation of SCS at 6 selected schools
- ❖ Necessary permits and any other required documentation for site installation.
- ❖ Methods for outreach to local community and parents
- ❖ Five organized community days for the initial installation of sites
- ❖ Before and after photos of school sites
- ❖ Results from student and teacher pre and post tests
- ❖ Follow-up evaluation of installed SCS sites highlighting any areas of concern
- ❖ Press release for SCS site installation that includes the WPD as source of funding for the SCS program
- ❖ Mid and final reports

Approximate available funds: \$95,000

Project period: 2 years

The grantee will be expected to perform the above-mentioned tasks within a two-year timeframe. The schedule is envisioned as follows:

Summer 2004 – Summer 2005: Teacher training and creation of landscape design

Fall 2005: SCS installation

Fall 2004 and Fall 2005: Teacher and student evaluations

Spring 2005: SCS installation evaluations

Additional time can be provided to the grantee for final reporting.

Criteria for ranking Schoolyard Conservation Site Program proposals:

1. The application is well written with clear goals and objectives. (5 points)
2. Project budget has high investment of resources into actual design and installation of landscaping on schoolgrounds. (15 points)

3. Method for providing technical assistance in outdoor teaching and landscape design is clearly outlined. **(10 points)**
4. A draft schedule for teacher trainings with associated curricula and topics to be covered is provided. **(15 points)**
5. A feasible evaluation strategy is outlined. **(10 points)**
6. Clear connections on how teachers will be able to utilize the SCS site for educational purposes are made. **(10 points)**
7. Approaches and familiarity with utilizing and installing low impact development and conservation landscaping in the District are provided. **(15 points)**
8. The application contains methods for outreach to local community, parents, and any other potential partners. **(5 points)**
9. Logistics to how sites will be installed are well thought out and reasonable. **(10 points)**
10. The applicant provides a non-federal match (in-kind or cash). **(5 points)**

Project: Creation of Rain Garden Lesson Plans

The Watershed Protection Division (WPD) is looking for a grantee to create rain garden lesson plans. These lesson plans will be able to support WPD's Schoolyard Conservation Site Program (SCS), "Greener Schools, Cleaner Water" as well as to stand alone as their own rain garden education unit. Rain gardens are innovative landscape features that help filter and retain stormwater runoff. Involving teachers and students in aspects of design, installation, and monitoring of rain gardens offers unique learning opportunities. The goal of this grant is to create a curriculum resource for teachers that focuses exclusively on rain gardens. This grant will consist of the following components:

- 1) Rain Garden Background Research
- 2) Creation of 6 Rain Garden Lesson Plans for Middle School (6th-8th grade) Students
- 3) Watershed Protection Division and Teacher Review of Lesson Plans
- 4) Piloting of Lesson Plans
- 5) Finalized Lesson Plan Packet

Rain Garden Background Research: The grantee will be expected to research aspects of rain garden design, installation and monitoring to ensure that information in lesson plans is relevant and accurate.

Creation of 6 Rain Garden Lesson Plans: Following initial consultation with the WPD, the grantee is to create lesson plans for middle and high school teachers that address the following topics:

- ❖ *What is a Rain Garden?:* Components and activities of lesson plan should include background on stormwater runoff, reasons for utilizing rain gardens, and different types of rain garden options.
- ❖ *Site Selection and Sizing for Rain Gardens:* Lesson plan should include elements of site selection and calculations that are necessary to properly size a rain garden. Activities should have students examining and working in their schoolyard.
- ❖ *Plants and Soils of the Rain Garden:* This lesson plan should have activities and background on soil amendments utilized in rain gardens and how to select appropriate plants. Students should receive basic soil science and botany information and learn how to select plants for varying sites.
- ❖ *Designing and Installing a Rain Garden:* Students learn how to take the information they've gathered on rain garden sizing and plant/soil selection and create a to-scale design schematic for their school. Teachers' version of lesson plan should also address what's needed to get a rain garden in the ground, pre and post construction considerations, explanation of necessary tools and equipment, and any potential permit considerations. Lesson plan should note activities/aspects of design that may require professional assistance.
- ❖ *Monitoring Your Rain Garden:* One lesson plan devoted to assessing the beneficial impact a school's rain garden is having and monitoring its health.
- ❖ *Continued Studies in Your Rain Garden:* This lesson plan should include several activities that students can be involved with that focus on utilizing the rain garden once it has been installed.

Note: The WPD is not looking for a compilation of curriculum sources, but rather 6 fully developed lesson plans. Plans should include teacher background information and student activity instructions.

Watershed Protection Division and Teacher Review of Lesson Plans: Upon completion of lesson plans, the grantee will submit the lesson plans to the WPD for review. WPD comments will be incorporated and

grantees will have a minimum of three middle school and three high school teachers review lesson plans for readability, clarity, implementation feasibility, and appropriateness of material for middle and high school students. Following review by teachers, the grantee will consult with the WPD regarding any suggested changes by teacher reviewers.

Note: Teachers will be compensated for their review; approximately \$500 of the grant should be budgeted towards teacher compensation.

Piloting of Lesson Plans: Following review by the WPD and teachers, the grantee will pilot all six lessons. This may require working with multiple schools (those that do not have a rain garden and those that currently have an installed rain garden). Grantee will create an evaluation form to be utilized by teachers for review of lesson plans. Grantee will provide technical assistance to teachers, should they have questions regarding the language/concepts of lesson plans. Comments and concerns of teachers piloting the lessons will be documented and then reviewed by the WPD for revision of/incorporation into the lesson plans.

Finalized Lesson Plan Packet: Grantee will provide one hard copy and one electronic copy of the lesson plan packet. The WPD will be responsible for reproduction and distribution of lesson plans.

DELIVERABLES:

- ❖ Copies of rain garden background research.
- ❖ Six completed lesson plans reviewed by WPD staff and teachers.
- ❖ Evaluations from piloted lesson plans, with potential revision of plans based upon review.
- ❖ One hard copy and one electronic copy of lesson plans.
- ❖ Mid and final reports.

Approximate available funds: \$7,500

Project period: 1-2 years

Criteria for Rain Garden Lesson Plans Proposals:

11. The application is well written with clear goals and objectives. **(5 points)**
12. Applicant has knowledge and experience in design and installation of rain gardens. **(15 points)**
13. Applicant has a background in environmental education and the writing of EE lesson plans. Provides samples of previous EE lesson plans. **(35 points)**
14. Applicant presents initial ideas for outdoor student activities related to the rain garden lesson plans that are feasible and interactive. **(20 points)**
15. Applicant has proposed a method to outreach to teachers for participation in lesson plan review. **(10 points)**
16. Applicant has piloted educational programs/lesson plans previously **(10 points)**
17. The applicant provides a non-federal match (in-kind or cash). **(5 points)**

Project: Rain Barrel Distribution Program

The Watershed Protection Division (WPD) has a mission to conserve the soil and water resources of the District of Columbia and to protect its watersheds from nonpoint source water pollution. Reducing runoff into our streams and rivers through low impact development (LID) is one important way to prevent pollutants from entering our waters. The use of rain barrels to collect rainwater from roofs and then use that water at a later time, for watering plants, washing, or other uses that do not require potable water is one such LID technique. This method allows the water to seep into the ground more slowly than during a rain event, helping reduce and filter stormwater runoff that enters local waterways.

To promote the use of rain barrels among District residents, the WPD is looking for a grantee to expand its pilot Rain Barrel Program initiated in 2003. The WPD will instruct the grantee as to the brand of rain barrel to be purchased for distribution and will provide outreach materials created under the 2003 grant. The grantee will be expected to expand the circle of residents that utilize rain barrels and to implement the following components:

- 1) Outreach (with use of pre-existing materials)
- 2) Rain Barrel Recipient Selection
- 3) Rain Barrel/Materials Purchase
- 4) Rain Barrel Distribution Workshops
- 5) Rain Barrel Creation Workshops
- 6) Rain Barrel Installation Assistance
- 7) Follow up Survey and Trouble Shooting

Outreach: The grantee will be expected to conduct an outreach campaign to inform District residents of the benefits of rain barrels and distribute an application form for residents to apply to receive a rain barrel.

Rain Barrel Recipient Selection: Using the application form, the grantee will work with the WPD to select individuals to participate in the training workshop and receive a rain barrel. A minimum of 60 individuals will be selected to receive free rain barrels. Individuals not selected to receive a free rain barrel will be invited to join a free rain barrel creation workshop.

Rain Barrel/Material Purchase: Grantee will be responsible for the purchase of all rain barrels, materials needed for "create-your-own" workshops, and any other necessary materials to be used in the program.

Rain Barrel Distribution Workshop: Selected residents must attend a workshop describing the benefits of rain barrels and proper installation methods. At the end of the workshop, rain barrels will be distributed. Grantee will be responsible for the content and format of this workshop, with oversight from the WPD. At least two workshops will be conducted.

Rain Barrel Creation Workshop: Residents not selected to receive a free rain barrel will be invited to attend a one-day workshop on how to create and install your own rain barrel, with a goal of 60 individuals participating. The grantee will be responsible for mailing an invitation to

potential participants, purchasing needed materials (based on cost, grantee could charge a registration fee, if needed), and organizing all components of the workshop. At least two workshops will be conducted.

Rain Barrel Installation Assistance: For residents who receive a free rain barrel, the grantee will be responsible for conducting a follow-up site visit 2 months after the workshop to ensure rain barrels are installed and being used and maintained properly.

Follow-Up Survey and Trouble Shooting: During the site visits for proper installation, participating residents will be asked to complete a survey requesting feedback on the program and their happiness with their rain barrel. Grantee will be responsible for providing any troubleshooting needed during the length of the grant period.

Project outcomes will include:

- ❖ Awareness by DC citizens of sources of nonpoint source water pollution, its impacts to their local waterways and the Chesapeake Bay, and rain barrels can help protect their neighborhood river or stream.
- ❖ Continuing publicity for the utility of rain barrels in an urban setting.
- ❖ Opportunity for DC residents to receive free rain barrels or learn to create their own.

Deliverables:

- ❖ Purchase of a minimum of sixty rain barrels and materials for “create-your-own” workshop
- ❖ Outreach plan
- ❖ Two workshops—one focused on general rain barrel information and distribution and one on creating rain barrels
- ❖ List of rain barrel recipients and participants in rain barrel creation workshop.
- ❖ List of addresses with properly installed rain barrels and completed survey and suggestions for improving rain barrel program
- ❖ Mid-year and final reports

Approximate available funds: \$20,000

Project period: 1 year

Criteria for Ranking Rain Barrel Distribution Program proposals

1. The application is well written with clear goals and objectives. **(5 points)**
2. Project budget has high investment of resources into conducting workshops, purchase, and installation of rain barrels. **(10 points)**
3. The outreach plan to promote the Rain Barrel Program is clearly articulated and feasible. Applicant is familiar with working with urban residents to encourage rain barrel use **(15)**
4. Familiarity with leading workshops that cover rain barrel use, installation and creation is clearly outlined. **(20 points)**
5. Logistics to ensure proper installation of rain barrels are provided. **(15 points)**
6. Grantee’s plan exceeds minimum number of rain barrels to be distributed **(10 points)**.
7. A reasonable program and participant evaluation plan is outlined. **(15 points)**
8. The applicant provides a non-federal match (in-kind or cash). **(10 points)**

Project: Water Retention Systems Design Contest and Brochure

The Watershed Protection Division (WPD) has a mission to conserve the soil and water resources of the District of Columbia and to protect its watersheds from nonpoint source water pollution. Reducing runoff into our streams and rivers through low-impact development (LID) is one important way to prevent pollutants from entering our waters. The use of rain barrels and other containers to collect rainwater directly or from roofs for use at a later time, for watering plants or other uses that do not require potable water is one such LID technique. Such water retention systems can prevent overloading of the storm drain system and prevent pollution of local streams and rivers.

To promote use of water retention systems among District residents, using rain barrels and other materials, the WPD is looking for a grantee to research and develop alternative designs for simple, low-cost, easy-to-assemble, easy to maintain water retention systems for use at private residences, community gardens, schools, apartment buildings, and other community locations.

The grantee will be expected to implement the following components:

1. Needs Assessment
2. Research
3. Design Competition
4. Materials Purchase
5. Manual
6. Demonstration Sites
7. Water Retention Systems Workshop
8. Evaluation

Needs Assessment: The grantee will assess the types of settings in the District where water retention systems such as rain barrels would be beneficial, with input from WPD.

Research: The grantee will research, using sources in the U.S. and internationally, alternative designs and materials and costs of water retention systems that could be used in the District. The grantee will further research the volume of systems that would accommodate typical rainfalls in the District and the volume of systems needed to provide sufficient water to serve as a significant source of water for the year-round needs of a local community garden, school garden, home garden, etc. The grantee will also research methods of keeping water retention systems clear of mosquitoes, pathogens caused by debris getting into the system, and any other potential public health and safety hazards. Based on this research, the grantee will develop detailed how-to instruction sheets on assembly of selected water retention systems.

Design Competition: The grantee will develop, advertise, and manage a design competition to solicit alternatives for low-cost, easy-to-assemble, easy-to-maintain water retention systems for use in the District. Information gathered through the above research will guide the competition design criteria and judging. The grantee will invite submissions from professionals, university students, and amateurs in the fields of engineering, hydrology, landscape architecture, architecture, and art and design, inviting submissions from individuals or teams.

The competition will consist of two stages. The first stage will be submission of written and graphic ideas. In the second stage, invited competitors will submit a complete, assembled system and complete instructions geared for public use on how to assemble the system, including a materials list, source list for materials, cost of materials, assembly instructions, anticipated volume of water that can be collected, etc. The grantee will be responsible for arranging a public venue for displaying the submissions and for conducting a campaign of outreach and advertising to invite the public to see the submissions. The grantee will be responsible for establishing judging criteria and prizes, for assembling a qualified panel of judges, and for administering the purchase and presentation of awards.

Materials Purchase: The grantee will be responsible for the purchase of all materials needed for the implementation of this project and to provide an "allowance" to competitors for the purchase of materials for their submissions.

Water Retention Systems Pamphlet: The grantee will be responsible for developing a simple "How-To" pamphlet for public use, with designs, materials lists, materials source lists, materials cost list, assembly instructions, anticipated volume of water that can be collected, etc. The manual is to be made available to the public at libraries and other venues and distributed at public workshops. The grantee will be responsible for trial construction of each system to be included in the manual, to test the information on design, materials, cost, and capacity. Content and design will be created in conjunction with WPD.

Workshops: The grantee will hold at least one public workshop to invite the public to learn about water retention systems, to distribute manuals, and to assemble at least one type of system. The grantee will be responsible for the content and format of this workshop, as well as the development of an outreach campaign to advertise the workshop, with oversight from WPD. Grantee will be responsible for purchasing necessary materials (and could charge a small registration fee, if material costs make it necessary), and organizing all components of the workshop, including evaluation. The grantee will assemble a list of attendees.

Evaluation: The grantee will develop a plan to evaluate the effectiveness of all aspects of the project.

Project outcomes will include:

- ❖ Awareness by DC citizens of the watershed protection impact of using water retention systems.
- ❖ Publicity for the utility of water retention systems in an urban setting.
- ❖ Opportunity for professionals, university students and others to share the best technical, design, and construction ideas for water retention systems for practical implementation by DC residents.
- ❖ Opportunity for DC residents to learn how to construct water retention systems for use at home, community gardens, schools, and other community venues.

Deliverables:

- ❖ Outreach plan for the competition.
- ❖ Outreach plan for the public viewing of the submissions and public workshop(s)
- ❖ Competition, public viewing of submission, judging, and awards ceremony
- ❖ Pamphlet, in print and PDF format, based on both the grantee's research and the competition submissions.
- ❖ Public workshop(s)
- ❖ Lists of competitors, judges, and workshop attendees
- ❖ List of sources of information on water retention systems
- ❖ Mid-year and final reports

Approximate available funds: \$7,500

Project period: 1 year

Criteria for Ranking Water Retention Systems proposals:

1. The application is well written with clear goals and objectives. **(15 points)**
2. The applicant has expertise to conduct relevant research, develop a well-managed competition, conduct effective public outreach, create an informative manual, conduct public workshops, document and evaluate the project. **(30 points)**
3. The work plan, budget, timeline, and program logistics are well defined, practical, feasible, and cost-effective. **(30 points)**
4. An effective evaluation plan is articulated. **(15 points)**
5. The applicant provides a non-federal match (in-kind or cash). **(10 points)**

Project: Low Impact Development (LID) Comprehensive Public Informational Materials

The District of Columbia Watershed Protection Division (WPD) is encouraging environmentally sensitive site planning and design in the revitalization/redevelopment of land. The intention of LID technology is to decrease total runoff; to filter storm water; and/or to detain the first flush of storm water in order to reduce the load of nonpoint source pollution entering District waterways, especially the Anacostia River.

The goal of this project is to create two sets of comprehensive informational brochures, to be developed in direct consultation with WPD, with the ultimate intention of promoting the installation of LID technologies by detailing the entire process from site selection to design development to plan review and fee schedule to construction and maintenance. All materials will need to be available both in print and as PDF files.

One such set of brochures, considered the "professional" category, would be directed toward large property owners, managers, developers, engineers, architects, designers and landscape architects. The other set of brochures would be directed towards private homeowners and small not-for-profits interested in implementing LID on their properties and could be considered the "non-professional" category. Each of these categories should contain one general brochure that provides an overview of LID and then separate brochures for each typical LID technique as covered in the 2003 District Storm Water Management Guidebook. A good example of what we are looking for is the series of brochures developed by Montgomery County, MD, Department of the Environment, Stormwater Facility Maintenance Program.

The brochures should include relevant DC regulations governing the implementation of such techniques, along with a detailed set of instructions on how to successfully navigate the plan review process and how to maintain these structures as well as information on DC maintenance requirements, tips on correct installation of each typical LID technique, common pitfalls, etc. Explanation of our storm water regulations would be in order for the non-professional category. These brochures must be made available in PDF format.

The brochures should explain briefly the virtues of LID and the reason for its promotion in DC. For example: In addition to restoring hydrologic function to the landscape, there are economic and aesthetic benefits to choosing LID technologies over the more traditional, centralized storm water filtration systems. LID techniques use materials such as plants and soil, which are much less expensive than the steel and concrete used in traditional storm water management practices; the landscape features add aesthetic value to the property; and in many cases, the maintenance of LID practices can be included in an existing landscape management contract.

Deliverables:

- (i) Draft copies of brochures
- (ii) Final copies of brochures in electronic format (PDF) and 10 hard copies of each brochure (professional and non-professional)
- (iii) Text of all brochures in Microsoft Word
- (iv) All brochure graphics artwork separately in encapsulated postscript format (EPS)

Approximate available funds: \$21,000.

Project Period: 1 year

Criteria for Ranking LID Information Materials proposals:

- | | |
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| 1. The applicant has prepared educational materials of a similar nature for other entities. | 20 points |
| 2. The applicant is familiar with Low Impact Development technologies. | 20 points |
| 3. The applicant is familiar with DC Stormwater Regulations | 15 points |
| 4. The applicant is familiar with the DCRA and WPD plan review process for stormwater plan approval. | 15 points |
| 5. The application is well written with clear goals and objectives and contains a plan to carry out the project that is well thought out and feasible. | 15 points |
| 6. The application contains all the required contents and follows the requested format. | 15 points |

Project: Low Impact Development (LID) Implementation Demonstration Projects

The District of Columbia Watershed Protection Division is encouraging environmentally sensitive site planning and design in the revitalization/redevelopment of land in the District. The intention in utilizing low impact development technology is to decrease total runoff; to filter storm water; and/or to detain the first flush of storm water in order to reduce the load of nonpoint source pollution entering District waters.

The goal of this project is to install low impact development (LID) technologies. The goal of this project is to install LID technologies. One example of a LID technology is to retrofit an impervious surface with permeable pavers, porous pavement or grass pavers, thus minimizing the total impervious area and decreasing runoff. Another example of LID technology is the rain barrel. Rainwater from rooftop runoff is directed from the roof to the rain barrel through the downspout. The Rain barrel provides storage for a predetermined volume of rooftop runoff. The rain barrel can be equipped with a drain spigot that has garden hose threading so that the collected runoff can be used for lawn and garden watering. A final example might be a green roof. This is a specially designed roof with a shallow soil media (usually 4-8 inches) with particular plant species growing in it. The green roof has special structural considerations, as it will require a roof with greater weight bearing capacity as well as special synthetic roof membranes to keep the roof waterproof during extended inundation. The green roof functions to capture and detain rainwater that would otherwise enter the storm sewer system immediately. Some of the rainwater will be lost to evapotranspiration through the soil/plant complex and the remainder will enter the storm sewer system at a much slower pace and result in a decreased time of concentration. This is a tremendous benefit in the combined sewer areas of the District, which cannot handle stormwater quantities during heavy rainfall events. See:

http://www.edcmag.com/CDA/ArticleInformation/features/BNP_Features_Item/0%2C4120%2C18769%2C00.html for more information on green roofs. These and other LID technologies can be used independently, they can be partnered in a "treatment train," and / or they can be integrated throughout a site for decentralized control of storm water runoff.

In addition to restoring hydrologic function to the landscape, there are economic and aesthetic benefits to choosing LID technologies over the more traditional, centralized storm water filtration systems. LID techniques use materials such as plants and soil, which are much less expensive than the steel and concrete used in traditional storm water management practices; the landscape features add aesthetic value to the property; and in many cases, the maintenance of LID practices can be included in an existing landscape management contract. The proposal should include an education component that works to further the use of LID technologies in redevelopment / revitalization projects in the District by highlighting the pollution prevention, economic and aesthetic benefits. The primary target audience for public outreach includes property owners (public and private) / managers, developers, engineers, architects, designers and landscape architects. Although this RFP will consider all LID for funding, extra consideration will be given to green roofs, permeable pavers, porous pavement and grass pavers as well as tree boxes and Filtera type devices.

Applications must be to retrofit a specific LID device(s) at a specific location on a specific piece of property. Applicants applying on behalf of a property owner **must have** a letter of support from the property owner. Applicants MAY NOT apply for funds to implement any LID retrofit without a specific location on a specific property and LID type in mind. An explanation for why a particular location and specific placement on that property as well as why the particular LID type(s) have been chosen must be included in the application. Partnerships between landowners and experienced LID design-build firms are allowed. Private, commercial government or public properties are eligible for consideration.

All completed projects must include permanent signage to be placed in a highly visible area near the finished project explaining what the device does, its benefits and funding sources for the project, including DC DOH.

Deliverables:

- (i) Completed BMP(s)
- (ii) Number of individuals reached through education / outreach
- (iii) Written maintenance plan
- (iv) Educational signs
- (iv) Semi-annual status reports
- (v) Final report

Criteria for ranking LID Implementation Demonstration proposals:

Clearly written proposal:	5 pts
Past experience in designing LID retrofits:	20 pts
Past experience in supervising construction projects:	15 pts
Detailed and feasible plan for implementing these retrofits (This should address issues of multiple partners and all potential permitting requirements):	25 pts
Knowledge of District permitting process required for construction:	15 pts
The project targets the Anacostia River and/or its tributaries priority watersheds for NPS control:	15
Applicant provides some kind of non-federal match:	5 pts

Approximate available funds: Not to exceed \$120,000. However, the District anticipates that most individual proposals will not exceed \$20,000. Funding is available until funds are exhausted.

Project Period: 1-2 years

Project: Fort Dupont Park Low Impact Development (LID) Retrofits

The District of Columbia, Watershed Protection Division (WPD) is encouraging environmentally sensitive site planning and design in the revitalization/redevelopment of land in the District. The intention in utilizing Low Impact Development (LID) technology is to decrease total runoff; to filter storm water; and/or to detain the first flush of storm water in order to reduce the load of nonpoint source pollution entering District waters. The largely natural Fort Dupont Park is a National Park Service (NPS) site, whose watershed is a priority watershed, where WPD aims to stem the erosive forces of untreated stormwater from impervious surfaces. With only a relatively small percentage of impervious area, the Ft. Dupont stream has still experienced extreme amounts of incision and bank erosion, resulting in large amounts of sediment entering the Anacostia River.

The goal of this project is to install LID technologies in the Ft. Dupont Park to further protect and enhance its watershed. One example of LID technology is bioretention, a Best Management Practice (BMP) that is often referred to as a "bioretention cell." This is designed as a shallow, landscaped depression with permeable soils through which storm water runoff is diverted for filtration, infiltration, and evapotranspiration through the soil/plant complex. "Bioretention cells" are defined as having underdrains that drain into an existing storm sewer pipes or into an area where the water can slowly dissipate. WPD possesses guidelines and specifications that accompany such a BMP and it is expected that all retrofits utilize these guidelines and specifications to ensure a successful project.

In addition to restoring hydrologic function to the landscape, there are economic, aesthetic, and interpretive/environmental education benefits to choosing LID technologies over the more traditional, centralized storm water filtration systems. LID techniques use materials such as plants and soil that are less intrusive in park landscapes and are much less expensive than the steel and concrete structures used in traditional storm water management practices. The landscape features of LID add aesthetic value to the property; and in many cases, the maintenance of LID practices can be included in an existing landscape management contract. The proposal should indicate an ability to work within the aesthetic and natural resource concerns of the NPS. NPS and WPD approval will be required for design signoff and construction.

Project sites

Three sites have been identified by the WPD and the NPS for LID retrofits. These sites have been selected for their ease in constructing bioretention cells and for their potential impact upon the adjacent stream. A successful proposal will address all of these sites specifically described below. This project will be a design and implementation project. The successful grantee will work closely with NPS staff and WPD staff, but will ultimately be accountable to the WPD grant supervisor. The successful grantee will work closely with WPD and NPS staff in order to be informed of the appropriate locations for retrofits at each site.

1. ***Fort Dupont Ice Rink Parking Lot***

The Ice Rink parking lot is located roughly 200 yards due west from the intersection of Ely Place and Ridge Road in southeast DC. The Ice Rink Parking lot is located on Ely Place. The parking is approximately 108,000 sq. ft. (2.48 acres). The successful proposal will include one large biocell at the lower end of the parking lot and several smaller biocells surrounding the existing London Planetrees. Curb cuts, removal of concrete, installation of underdrains and tying into existing sewers, and moderate excavation using heavy machinery will be required. Designs for this site will need to treat 95 percent of the runoff from the parking lot at 5-year storm event. Designs will need to show how they will treat this level of precipitation event.

2. ***Fort Dupont Activity Center Parking Lot***

This parking lot lies on Ft. Dupont Drive roughly 400 yards east of Randle Circle (the intersection of Branch, Massachusetts, and Minnesota Avenues). It is roughly 53,820 sq. ft. (1.24 acres) of impervious surface. A successful project will involve the design and construction of 3 bioretention cells and specific locations in the parking lot. Successful designs will treat 95 percent of the runoff from the parking lot at the 5-year storm event. Curb cuts, removal of concrete, installation of underdrains and tying into existing sewers, and moderate excavation using heavy machinery will be required.

3. ***Alabama Avenue***

The stretch of Alabama Avenue between Burns Street and Massachusetts Avenue in SE DC forms a ridge that acts as a watershed divide between the Anacostia and the Oxon Run (Potomac) watersheds. Given that it lies at the headwaters, unmitigated stormwater has extreme negative effects as it pulses down through the entire stream. Two locations have been identified as appropriate locations for retaining and treating a portion of the stormwater running off of this roadway. Curb cuts, removal of concrete, installation of underdrains and tying into existing sewers, and moderate excavation using heavy machinery will be required.

Educational signage: The grant recipient should expect to work with the National Park Service to develop education signage at all retrofit sites that will explain to the general public the purpose of the biocells in terms of overall stormwater management. The signs should address concerns of standing water and mosquito breeding (West-Nile concerns).

Grantee Support:

The grantee can expect to have access as needed to technical assistance and advice from WPD staff. The grantee can expect to be given specific ideas for implementation of these retrofits, however is understood that the grantee will bring experience and ideas to the design and construction process. WPD and NPS will need to review and approve 65%, 95%, and 100% designs prior to further work proceeding. WPD staff may be present during construction of these retrofits. WPD staff will also assist in streamlining the permitting process required for retrofit construction. All necessary contacts and information will be provided as best possible to facilitate an efficient process.

Available Funding: Approximately \$160,000 is available for the design, construction, and full review and consultation process. It is expected that these funds will allow for the design and construction of all three sites.

Project Period:

It is expected that design and construction follow on a steady schedule as jointly determined by WPD staff, NPS staff, and the grantee. WPD is allotting 18 months from the award of the grant to finalization of all construction activities.

Criteria for Ranking Fort Dupont Park LID proposals:

Clearly written proposal:	5 pts
Past experience in designing LID retrofits:	25 pts
Past experience in supervising construction projects:	20 pts
Detailed and feasible plan for implementing these retrofits (This should address issues of multiple partners and all potential permitting requirements):	25 pts
Knowledge of permitting process required for construction:	15 pts
In grant application, the applicant includes language about educational signage at the biocells:	5 pts
Applicant provides some kind of non-federal match:	5 pts

Project: Pope Branch Watershed Low Impact Development (LID) Retrofits

The District of Columbia, Watershed Protection Division (WPD) is encouraging environmentally sensitive site planning and design in the revitalization/redevelopment of land in the District. The intention in utilizing Low Impact Development (LID) technology is to decrease total and peak runoff; to filter storm water; and/or to detain the first flush of storm water in order to reduce the load of nonpoint source pollution entering District waters. The 248-acre Pope Branch watershed, located in southeast DC, is a priority watershed for the WPD due to the erosive impacts that untreated stormwater is having on the stream banks of Pope Branch, and the ultimate negative impacts on water quality in both this tributary and the Anacostia River, into which it drains.

The goal of this project is to install LID technologies within the Pope Branch watershed to further protect and enhance the Pope Branch tributary and the Anacostia. One example of LID technology is bioretention, a Best Management Practice (BMP) that is often referred to as a "bioretention cell." This is designed as a shallow, landscaped depression with permeable soils through which storm water runoff is diverted for filtration, infiltration, and evapotranspiration through the soil/plant complex. "Bioretention cells" are defined as having underdrains that drain into existing storm sewer pipes or into an area where the water can slowly dissipate. WPD possesses guidelines and specifications that accompany such a BMP and it is expected that all retrofits utilize these guidelines and specifications to ensure a successful project. Other LID projects include the use of permeable pavers and other porous materials in parking lots.

In addition to restoring hydrologic function to the landscape, there are economic, aesthetic, and interpretive/environmental education benefits to choosing LID technologies over the more traditional, centralized storm water filtration systems. LID techniques use materials such as plants and soil that are less intrusive in park landscapes and are much less expensive than the steel and concrete structures used in traditional storm water management practices. The landscape features of LID add aesthetic value to the property; and in many cases, the maintenance of LID practices can be included in an existing landscape management contract. WPD and stakeholder approval will be required for design signoff and construction.

Project sites

Four sites have been identified by the WPD for LID retrofits. These sites have been selected for their ease in constructing bioretention cells or installing permeable pavers and for their potential impact upon Pope Branch. A successful proposal will address all of these sites specifically described below. This project will be a design and implementation project. The successful grantee will work closely with WPD staff and other stakeholders, but will ultimately be accountable to the WPD grant supervisor. The successful grantee will work closely with WPD staff and other stakeholders in order to be informed of the appropriate locations for retrofits at each site.

1. Corner of Pope Branch Park at M Place and Fairlawn, SE

This site is located on property managed by the DC Department of Parks and Recreation (DPR). The DPR is supportive of installing a biocell at this location. Installation of a biocell would require a curb cut at the bottom of M Place, where there exists one stormdrain. Runoff from M

Place would be diverted into the cell. The street is approximately 27,600 sq. feet (.0630 acres). The successful proposal will include one large biocell at the lower end of the street. Curb cuts, potential removal of asphalt, installation of underdrains and tying into existing sewers, and moderate excavation using heavy machinery will be required. A partial defrayment of plant installation costs is likely as the DPR and WPD, in conjunction with the grantee, would plan a community event to assist in plant installation. Designs for this site will need to treat 95 percent of the runoff from the street at the 5-year storm event. Designs will need to show how they will treat this level of precipitation event.

2. ***Alabama Avenue near Pennsylvania Avenue, SE***

The drainage site of interest entails the stretch of Alabama Avenue running from approximately Q to R Streets in SE DC. The street in this section is approximately 19,000 sq. feet (0.40 acres). The successful proposal will include the installation of biocells within Fort Davis Park to treat runoff from the street. The National Park Service (NPS) manages this property. They have been supportive of other projects occurring within the Ft. Dupont watershed. A successful project will involve the design and construction of bioretention cells at appropriate sites selected by the grantee, WPD, and the NPS. Successful designs will treat 95 percent of the runoff from the street at the 5-year storm event. Curb cuts, removal of concrete, installation of underdrains and tying into existing sewers, and moderate excavation using heavy machinery will be required.

3. ***DC Therapeutic Recreation Center, 3030 G St., SE***

This site is located on property managed by the DPR, who is supportive of LID projects within the Pope Branch watershed. The proposed LID technique to be installed is a biocell that collects drainage from the Recreation Center's parking lot. The parking lot is approximately 14,100 sq. feet (0.30 acres). As with the Pope Branch Park biocell, a partial defrayment of plant installation costs is likely as the DPR and WPD, in conjunction with the grantee, would plan a community event to assist in plant installation. Successful designs will treat 95 percent of the runoff from the parking lot at the 5-year storm event. Limited removal of asphalt, installation of underdrains and tying into existing sewers, and moderate excavation using heavy machinery will be required.

4. ***DC WASA/ Municipal Services Government Building or Pennsylvania Baptist Church Parking lot, 3320 and 3000 Pennsylvania Avenue, SE***

The grantee would work with the WPD and the lot owners to select the best location for an LID parking lot retrofit project. Appropriate LID techniques for this project would include the use of permeable pavers/porous paving materials and biocells. The WASA/Municipal Services lot is approximately 58,330 sq feet (1.34 acres) of impervious surface and the Pennsylvania Baptist Church lot is approximately 45,873 sq. feet (1.05 acres) of impervious surface. Successful designs will treat 95 percent of the runoff from the parking lot at the 5-year storm event. Removal of asphalt, installation of underdrains and tying into existing sewers and excavation using heavy machinery will be required.

Educational signage: The grant recipient should expect to work with the WPD and other stakeholders to develop education signage at all retrofit sites that will explain to the general public the purpose of the biocells in terms of overall stormwater management. The signs should address concerns of standing water and mosquito breeding (West-Nile concerns).

Grantee Support

The grantee can expect to have access as needed to technical assistance and advice from WPD staff. The grantee can expect to be given specific ideas for implementation of these retrofits; however, it is understood that the grantee will bring experience and ideas to the design and construction process. WPD and stakeholders will need to review and approve 65%, 95%, and 100% designs prior to further work proceeding. WPD staff may be present during construction of these retrofits. WPD staff will also assist in streamlining the permitting process required for retrofit construction. All necessary contacts and information will be provided as best possible to facilitate an efficient process.

Approximate Available Funds: A maximum of \$110,000 is available for the design, construction, and full review and consultation process. It is expected that these funds will allow for the design and construction of all three sites.

Project Period: It is expected that design and construction follow on a steady schedule as jointly determined by WPD staff, stakeholders, and the grantee. WPD is allotting 18 months from the award of the grant to finalization of all construction activities.

Criteria for ranking Pope Branch LID proposals:

Clearly written proposal:	5 pts
Past experience in designing LID retrofits:	25 pts
Past experience in supervising construction projects:	20 pts
Detailed and feasible plan for implementing these retrofits (This should address issues of multiple partners and all potential permitting requirements):	25 pts
In grant application, the applicant includes language about educational signage at the biocells:	5 pts
Applicant provides some kind of non-federal match:	20 pts

Project: Watts Branch Watershed Low Impact Development (LID) Retrofits

The District of Columbia, Watershed Protection Division (WPD) is encouraging environmentally sensitive site planning and design in the revitalization/redevelopment of land in the District. The intention in utilizing Low Impact Development (LID) technology is to decrease total runoff, to filter storm water, and/or to detain the first flush of storm water in order to reduce nonpoint source pollution loads that enter District waters. Watts Branch stream runs west, from the District's eastern corner, to the Anacostia River, and is a priority WPD watershed. The District Department of Recreation's (DPR) Watts Branch Park surrounds the stream, and offers space to build LID installations at sites that drain adjacent roadways. The District Department of Transportation (DDOT) road right-of-way space also will be used.

The goal of this project is to install LID technologies in Watts Branch Park to further protect and enhance its watershed. One example of LID technology is bioretention, a Best Management Practice (BMP) that is often referred to as a "bioretention cell." This is designed as a shallow, landscaped depression with permeable soils through which storm water runoff is diverted for filtration, infiltration, and evapotranspiration through the soil/plant complex. "Bioretention cells" are defined as having underdrains that drain into an existing storm sewer pipes or into an area where the water can dissipate slowly. WPD possesses guidelines and specifications that accompany such a BMP and it is expected that all retrofits utilize these guidelines and specifications to ensure a successful project.

In addition to restoring hydrologic function to the landscape, there are economic, aesthetic, and interpretive/environmental education benefits to choosing LID technologies over the more traditional, centralized storm water filtration systems. LID techniques use materials such as plants and soil that are less intrusive in park landscapes and are much less expensive than the steel and concrete structures used in traditional storm water management practices. The landscape features of LID add aesthetic value to the property, and in many cases, the maintenance of LID practices can be included in an existing landscape management contract. The proposal should indicate an ability to work within the natural resource, aesthetic, and infrastructure concerns of DPR, DDOT, and the surrounding community. DPR, DDOT, and WPD approval will be required for design signoff and construction.

Project sites

Three sites (4 biocells) have been identified by the WPD and DPR for LID retrofits. These sites have been selected for their ease in constructing bioretention cells and for their potential impact upon the adjacent stream. A successful proposal will address all of the sites specifically described below. This project will be a design and implementation project. The successful grantee will work with DPR, DDOT, and WPD, but will ultimately be accountable to the WPD grant supervisor. The successful grantee will work closely with WPD and DPR staff in order to be informed of the appropriate locations for retrofits at each site.

1. 55th St. and Clay Pl. NE

This site lies in the northern corner of the 55th St. and Clay Pl. NE intersection. Due to the construction of a new curb and sidewalk in this area, a successful proposal will include a strategy for channeling stormwater beneath the sidewalk (sidewalk must remain intact or be rebuilt at or close to current grade), into a biocell built on the opposite side. Curb cuts, removal of concrete, installation of underdrains and tying into existing sewers, and moderate excavation using heavy machinery will be required.

2. 49th and Hayes Sts. NE

This location is in front of Merritt Elementary School. Downslope of the front of the school is a large grass covered island bounded on the west by 49th St., on the east by 50th St., and on the north by Hayes Street. A catch basin connection is located on the north side of the island, closest to 49th Street. Acceptable proposals will outline the construction of an appropriately sized biocell at this location. Since

no curb is located in this area, the successful proposal will also contain a strategy for protecting the biocell from cars that parallel park along Hayes St.

3. *Division Ave. and Fitch Pl. NE*

A high volume of stormwater flows through the intersection of Division Ave. and Fitch Place NE. Traveling down the site's north facing slope, stormwater flows follow a straight course down Division Ave., and a 90-degree curve along Fitch St., before entering the intersection of the two roadways. A successful proposal will involve the construction a biocell on the east side of Division Ave. (at the Fitch Pl. intersection) to handle this stormwater. A successful proposal will also outline the construction of another biocell, opposite this one, in the southwest corner of the intersection. Curb cuts, installation of underdrains and tying into existing sewers, and small amounts of excavation will be required.

Educational signage: The grant recipient should expect to develop educational signage at all retrofit sites that will explain to the general public the purpose of the biocells in terms of overall stormwater management. The signs should also address concerns regarding standing water and mosquito breeding (West-Nile concerns).

Grantee Support

The grantee can be expected to have access, as needed, to technical assistance and advice from WPD staff. The grantee can also expect to be given specific ideas for implementation of these retrofits, however it is understood that the grantee will bring experience and ideas to the design and construction process. WPD and DPR will need to review and approve 65%, 95%, and 100% designs prior to further work proceeding. WPD staff may be present during construction of these retrofits. WPD staff will also assist in streamlining the permitting process required for retrofit construction. All necessary contacts and information will be provided as best possible to facilitate an efficient process.

Available Funds: Approximately \$110,000 is available for the design, construction, and full review and consultation process. It is expected that these funds will allow for the design and construction of all three sites.

Project Period: It is expected that design and construction will proceed in a timely fashion and that WPD will be involved in determining the project schedule. WPD is allotting 18 months from the award of the grant to finalization of all construction activities.

Criteria for ranking Watts Branch LID proposals:

Clearly written proposal:	5 pts
Past experience in designing LID retrofits:	25 pts
Past experience in supervising construction projects:	20 pts
Detailed and feasible plan for implementing these retrofits (This should address issues of multiple partners and all potential permitting requirements):	25 pts
Knowledge of permitting process required for construction:	15 pts
In grant application, the applicant includes language about educational signage at the biocells:	5 pts
Applicant provides some kind of non-federal match:	5 pts

Project: District of Columbia's Storm Water Management Guidebook Expansion

The District of Columbia's Storm Water Management Guidebook was recently updated to include additional information on storm water quality and quantity practices, storm water practice performance criteria related to feasibility, conveyance, pretreatment, treatment and maintenance, bmp selection guidance, and a description and flow chart of the current storm water permit process with submission requirements. However, for the District to keep abreast with rapidly evolving and innovative storm water management technologies as well as comply with NPDES storm water requirements, the Guidebook needs to be expanded in the following areas: industrial and commercial pollution prevention plans; management of storm water hotspots; flexible design criteria for redevelopment projects; additional storm water sizing criteria; low impact design techniques; storm water fee-in-lieu criteria; additional urban BMPs including non-structural measures such as street sweeping; landscaping for storm water facilities; storm water retrofitting; rooftop treatment and proprietary storm water products; construction specifications for specific elements of the additional BMPs; and additional inspections and maintenance check lists.

Additionally, the District's storm water management regulations are currently being revised and updated. Any changes to the existing regulations must be incorporated in the expanded Guidebook.

The Watershed Protection Division of the District of Columbia's Environmental Health Administration is currently seeking proposals to expand the Storm Water Management Guidebook in the areas listed above.

Tasks to be Accomplished:

The specific tasks to be accomplished will include, but not be limited to the following:

- Provide practical guidance and educational materials on the implementation of pollution prevention plans for commercial and industrial land uses;
- Provide guidance on land uses that may be designated as "hot spots" and necessary storm water management alternatives to treat runoff from these spots;
- Develop flexible storm water design criteria for redevelopment projects, and update and modify where necessary design criteria for storm water BMPs, including routing methodology for sand filters and other BMPs;
- Expand the guidebook to include storm water fee-in-lieu specifications and protocols;
- Provide guidance on the implementation of low-impact development techniques and other practices suitable for infill and redevelopment;
- Examine alternative storm water sizing criteria by conducting a rainfall analysis for the District to determine the effective water quality criteria, and research the application of channel protection criteria for areas of the District with open waterways;
- Develop additional bmp design examples;
- Provide construction specifications for the additional BMP;
- Develop additional maintenance checklists that provide guidance on the frequency and type of maintenance required for the different BMP categories used in the District;

- Develop additional inspection checklists for various phases of BMP construction for the different BMP categories used in the District; and
- Incorporate changes from the revised and updated storm water management regulations in the expanded Guidebook.

Deliverables:

- 1) Revised Outline of the Guidebook
- 2) Semi-Annual Status Reports
- 3) Final Draft of the Guidebook
- 4) Final camera-ready version of the Guidebook that incorporates the comments of the District
- 5) An electronic version of the camera-ready version
- 6) Technical Memorandum

Available Funds: Not to exceed \$60,000.

Project Period: 18 months – 2 years

Criteria for ranking Guidebook Expansion proposals:

- | | |
|---|--------|
| i) Clearly written proposal with well laid out goals and objectives | 10 pts |
| ii) Experience and successful track record in developing urban storm water management design and guidance manuals | 25 pts |
| iii) Extensive knowledge of urban storm water management Regulations and programs | 15 pts |
| iv) Practical knowledge of bmp design and specifications | 20 pts |
| v) Detailed and feasible plan for implementing the project | 10 pts |
| vi) Knowledge of bmp inspection and maintenance procedures | 15 pts |
| vii) The applicant provides some kind of non-federal match | 5 pts |

Project: Provide Professional Services to Revise and Update the District of Columbia Flood Hazard Rules

Chapter 31 (Flood Hazard Rules), Title 20 (Environment) of District of Columbia Municipal Regulations (DCMR) was promulgated in 1985 under D.C. Law 1-64 (District of Columbia Applications Insurance Implementation Act of 1984) to do the following:

a) regulate uses, activities, and development which will cause unacceptable increases in flood heights, velocities and frequencies; b) restrict or prohibit certain uses, activities, and development from locating within areas subject to flooding; c) require all those uses, activities and developments that do occur in flood-prone areas to be protected in order to prevent flood damage; and d) protect individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.

The Watershed Protection Division of the District of Columbia's Environmental Health Administration in conjunction with the D.C. Emergency Management Agency is seeking proposals to revise and update the flood hazard rules.

In revising the rules, our objective is to maintain the integrity of our floodplain management and hazard mitigation programs, enable the District to become eligible to participate in the Community Rating System (CRS) of the National Flood Insurance Program (NFIP) and ensure that the flood hazard rules are in compliance and consistent with current state of the art requirements under the NFIP.

Tasks to be Accomplished:

The specific tasks to be accomplished will include, but not be limited to the following:

- Thoroughly review and analyze related floodplain management programs and flood hazard legislation from adjoining jurisdictions (Maryland, especially Prince George's county, Virginia, Pennsylvania, Delaware and West Virginia) as well as federal (NFIP) regulations;
- Review definitions in the existing regulations and include additional definitions where appropriate;
- Review the D.C. soil erosion and storm water management regulations, the 2003 D.C. Building Codes, and the D.C. Hazard Mitigation Plans to ensure consistency with the flood hazard rules;
- Based on the above, revise D.C. flood hazard rules;
- Coordinate tasks with the Federal Emergency Management Agency (FEMA, Region III) and the D.C. Emergency Management Agency (DC EMA).

Deliverables:

- 1) Quarterly Status Reports
- 2) Semi-Annual Status Reports
- 3) Draft of revised District of Columbia Flood Hazard Rules
- 4) Final District of Columbia Flood Hazard Rules
- 5) Technical Memorandum

Available Funds: Not to exceed \$ 20,000.

Project Period: 1 year

Criteria for ranking Update of Flood Hazard Rules proposals:

- | | |
|--|--------|
| i) Clearly written proposal with well laid out goals and objectives | 15 pts |
| ii) Knowledge of state, local and national flood insurance programs | 25 pts |
| iii) Knowledge of sediment control, storm water management and building codes | 20 pts |
| iv) Experience with issues and policies dealing with floodplain management
and a successful track record in developing and implementing flood hazard
regulations | 25 pts |
| v) Detailed and feasible plan for implementing the project | 10 pts |
| vi) The applicant provides some kind of non-federal match | 5 pts |

DISTRICT OF COLUMBIA PUBLIC LIBRARY

NOTICE OF CLOSING

Notice is hereby given that, on April 16, 2004, the District of Columbia Public Library ("DCPL") will be closed from 9:30 a.m. to 1:30 p.m. due to the scheduling of the DCPL Staff Town Hall Meeting.

DISTRICT OF COLUMBIA PUBLIC LIBRARY

NOTICE OF CLOSING

Notice is hereby given that, on April 19, 2004, the R.L. Christian Community Library of the District of Columbia Public Library system, located at 1300 H Street, N.E, Washington D.C., will be closed for renovations until May 3, 2004. If dates of re-opening should change, please see the DCPL website.

Office of the Secretary of the
District of Columbia

April 1, 2004

Notice is hereby given that the following named persons have been appointed as Notaries Public in and for the District of Columbia, effective on or after May 1, 2004.

Barton, William I.	Rpt	CACI 2020 K St,NW#600 20006
Brown, Edith E.	Rpt	McDermott Will & Emery 600 13 th St,NW 20005
Chavez-Craig, Glenda	Rpt	D.C. Energy Office 2000 14 th St,NW#300E 20009
Chisholm, Pamela	Rpt	1128 10 th St,NW 20001
Cobbs, Joan T.	Rpt	Wachovia Bank 215 Pa Ave,SE 20003
Djordjevich, Alexander	Rpt	Law Office 5335 Wis Ave,NW#440 20015
Faddoul, C. Danielle	Rpt	Capitol Tax Partners 101 Const Ave,NW#665E 20001
Fiallo, Miriam M.	Rpt	IDB IIC Fed Credit Union 1300 N Y Ave,NW 20577
Harding, Joan A.	Rpt	M & T Bank 1680 K St,NW 20036
Harrison, Daniel W.	Rpt	1421 22 nd St,SE 20020
Hutcheson, Elizabeth T.	Rpt	1701 M St,NE 20002

Jarboe, Jacquelyn C.	Rpt	L A D Reporting 1100 Conn Ave,NW#850 20036
Jones,III, Manford B.	Rpt	Bank of America 635 Mass Ave,NW 20001
Keels, Jessie M.	Rpt	AAA Mid Atlantic 701 15 th St,NW 20005
Lee, Richard S.	Rpt	Lee's Flower & Card Shop 1026 U St,NW 20001
McCarthy, Marie E.	Rpt	ZuckertScoutt&Rasenberger 888 17 th St,NW#700 20006
McClellan, Sherry A.	Rpt	Winston & Strawn 1400 L St,NW 20005
Man, Joan M.	Rpt	2700 Va Ave,NW 20037
Mitchell, Debbie K.	Rpt	NACCHO 1100 17 th St,NW2ndFl 20036
Negroni, Andrea Lee	Rpt	Buckley Kolar 1250 24 th St,NW#700 20037
O'Brien, Margaret E.	Rpt	King & Spalding 1730 Pa Ave,NW 20006
Palmer, Ronnie C.	Rpt	Carol Thomas Reporting 1012 14 th St,NW#307 20005
Patel, Zarna L.	Rpt	Zeigler Builders 3124 Q St,NW 20007
Patterson, Joe Ann	Rpt	TerraceManorApts/RentalOf 3347 23 rd St,SE 20020
Perez-Molina, Maria	Rpt	IDB IIC Fed Credit Union 1300 N Y Ave,NW 20577

Pierangeli, William R.	Rpt	Byron S. Adams Printers 1615 L St,NW#100 20036
Quinn, Kathleen	Rpt	John & Hengerer 1200 17 th St,NW#600 20036
Randall, Elaine S.	Rpt	Conlon Frantz et al 1818 N St,NW#700 20036
Reardon-King, Patricia V.	Rpt	226 Emerson St,NW 20011
Rhinehart, Charlyne J.	Rpt	Fried Frank Harris et al 1001 Pa Ave,NW 20004
Smallwood, Kathy M.	Rpt	G C I U 1900 L St,NW 20036
Smith, Kathy L.	Rpt	Congressional Fed C U R H O B Rm#SW-1 20515
Thakkar, Irma	Rpt	Leibner & Potkin 4725 Wis Ave,NW#250 20011
Turner, Bonnie L.	Rpt	Thompson Coburn 1909 K St,NW#600 20006
Villard, Valerie	Rpt	Raymond C. Brophy, Inc. 450 5 th St,NW#200N 20001
Wallace, Olivia M.	Rpt	4713 Kansas Ave,NW 20011
Woods, Gladys T.	Rpt	AAA Mid Atlantic 701 15 th St,NW#100 20005

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

**NOTICE SEEKING PUBLIC COMMENT ON LEAD SERVICE LINE REPLACEMENT
POLICY**

The Board of Directors, (the "Board") of the District of Columbia Water and Sewer Authority, (the "Authority") at its meeting on April 2, 2004, authorized publication for public comment, a proposed policy on the replacement of lead service lines in the District of Columbia. The Board hereby gives notice of its intention to receive comments on the proposed lead policy and shall receive comments on the proposed policy through Friday May 28, 2004.

I. Timing of Final Action on Proposed Lead Policy

No final action will be taken on the proposed lead policy described in this notice until after each of the following events has occurred:

1. Public meetings are held to receive comments on the proposed policy. Community meetings will be held at the following times and locations:

April 26, 2004, 6:30 pm – 8:30 pm, Francis A. Gregory Library, 3660 Alabama Ave., SE

May 3, 2004, 6:30 pm – 8:30 pm, Chevy Chase Branch Library, 5625 Connecticut Ave., NW

May 19, 2004 6:30 pm – 8:30 pm, Watha T. Daniel/Shaw Branch Library, 1701 8th Street, NW

2. The public comment period for this proposed policy expires. Comments may be submitted through May 28, 2004; and
3. The Board of Directors takes final action after public comments are considered.

II. Policy Proposal

The following policy is proposed by the District of Columbia Water and Sewer Authority's Board of Directors:

Lead Service Replacement Policy

- (a) It is the policy of District of Columbia Water and Sewer Authority (Authority) to have no lead service lines in the public space portion of its water supply system. Therefore, the Authority will remove all known lead service lines from the public space no later than September 30, 2010, and replace these lines with EPA-approved service lines. In the future, if a lead service line is discovered that was not previously identified and replaced prior to September 30, 2010, the Authority will replace the public space portion of that service line within 90 days of knowing of its existence.

- (b) Recognizing the significance of privately-owned portions of the lead service lines which are outside its present legal responsibility, the Authority will also encourage homeowners to eliminate lead service lines on their properties, and will coordinate with and facilitate private and public efforts to that end, including offering homeowners an opportunity to replace the private portion of lead service lines with EPA-approved service lines at the Authority's actual cost.

Comments on this proposed policy should be submitted, in writing, no later than May 28, 2004 to Linda R. Manley, Secretary to the Board, District of Columbia Water and Sewer Authority, 5000 Overlook Ave., S.W., Washington, D.C., 20032 or Lmanley@dcwasa.com.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 03-05C**

Case No. 03-05C

**Consolidated Planned Unit Development and
Zoning Map Amendment for the Department of Transportation ("DOT") Headquarters
in the Southeast Federal Center**

January 12, 2004

Pursuant to proper notice, the Zoning Commission for the District of Columbia held a public hearing on September 25, 2003, to consider applications from JBG/SEFC Venture, L.L.C. ("Applicant"), on behalf of the General Services Administration ("GSA"), for consolidated review and one-step approval of a Planned Unit Development and a Zoning Map Amendment (collectively, the "Applications"). The Zoning Commission considered the Applications pursuant to Chapters 24 and 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). A further public hearing to consider limited issues was held on November 24, 2003. The public hearings were conducted in accordance with the provisions of 11 DCMR § 3022. For the reasons stated below, the Zoning Commission hereby approves the Applications.

PRELIMINARY MATTERS

As a preliminary matter, the Zoning Commission must determine whether the project constitutes one or two buildings.¹ The project visually presents itself as two buildings that share no above

¹ The Applicant requested that the Zoning Commission release the legal advice memorandum provided by the Office of the Corporation Counsel ("OCC") on this issue. The Commission refused this request, believing that it was inappropriate to share the written legal advice it receives. Apparently, the Applicant believes that memoranda of this kind have a status independent of the Commission's resolution of this issue, as it is set forth in this Order. This is simply not the case. The Zoning Commission relies upon the Land Use and Public Works Section of OCC for legal advice. In furnishing such advice, the attorneys of that Section act as members of the Commission's staff. As with any other advice provided by staff, the Commission is free to accept or reject the advice given. The written legal advice received is not a formal Opinion by the Corporation Counsel and therefore has no official status. The Zoning Administrator receives legal advice through the General Counsel of the Department of Consumer and Regulatory Affairs. Neither the Zoning Administrator nor DCRA's General Counsel must adhere to the legal interpretations of the Land Use and Public Works Section. Rather, it is the legal interpretations included in the written orders of this Commission that establish zoning precedent. Thus, apart from general concerns about maintaining attorney-client confidentiality, the release of such written memoranda would serve no purpose and could create confusion to the extent that there may be differences between the analysis in an OCC memorandum and the analysis of the same issue in a Zoning Commission Order.

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ground connection. The Applicant contends that, notwithstanding this appearance, there is but one building. To reach this conclusion, the Applicant relies on § 3202.3 of the Zoning Regulations, which states in part that:

[A] building permit shall not be issued for the proposed erection, construction, or conversion of any principal *structure* ...unless the land for the proposed erection, construction, or conversion has been divided so that each *structure* will be on a separate lot of record Any combination of commercial occupancies separated in their entirety, erected, or maintained in a single ownership shall be considered as one (1) *structure*.

Emphasis added.

This provision does nothing more than require, subject to certain exceptions, that a record lot may include no more than a single structure. The provision also provides a narrow circumstance where occupancies, separated in their entirety, may be nevertheless be considered a single structure. It does not, however, provide that those single structures are also single buildings. That issue is resolved with the definition of "building" which provides that a building is:

[A] *structure* having a roof supported by columns or walls for the shelter, support, or enclosure of persons, animals or chattel. When separated from the ground up or from the lowest floor up, each portion shall be deemed a separate building, except as provided elsewhere in this title. The existence of communication between separate portions of a structure below the main floor shall not be construed as making the structure one building.

11 DCMR § 199.1 (emphasis added). Thus, a single structure can include more than one building. But, if the portions of that single structure have no above ground "communication", the structure cannot be a single building. Thus, even if under § 3202.3 this project were considered a single structure, it could not be considered a single building.

However, the Commission does not believe that this project can even be viewed as constituting a single structure to the extent permitted under § 3202.3.

First, the DOT project is not a "combination of commercial occupancies." It is a single commercial occupancy -- that of the USDOT. Second, reading § 3202.3 as permitting two structures separated from the ground up to be considered one building would be inconsistent with the plain language of § 2517 of the Zoning Regulations. Section 2517 permits two or more principal buildings, as a matter-of-right, to occupy a single lot of record on any property that is not in, or within twenty-five (25) feet of, a residence district. Each building, however, must conform to the applicable requirements for height, bulk, and open space. If § 3202.3 were read to allow multiple non-conforming structures on a single lot of record simply by virtue of their common ownership, § 2517 would be rendered virtually meaningless.

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Finally, a review of the history of § 3202.3 shows that its current language was adopted in 1964, and was changed from earlier language in order to permit strip malls to locate on single lots of record. Arguably, the earlier language would have prevented this. It stated: "any combination of commercial structures having division walls from the ground up or from the lowest floor up operated as a single establishment, shall be on a separate and distinct lot of record." (See, § 8103.3 of the original 1958 zoning regulations.) A strip mall is a combination of individual commercial occupancies, *i.e.*, stores, each separated by a common division wall. Under the earlier text, each of these commercial occupancies would have been considered a separate building, because they were not "operated as a single establishment." The earlier text would therefore have required each store in a strip mall to have been located on its own separate and distinct lot of record. To avoid this anomalous result, the last sentence of § 3202.3 was changed to read as it does today. It seems apparent that the last sentence of § 3202.3 was intended to facilitate the construction and operation of strip malls, not to subvert the lot control provisions of the Zoning Regulations.

For all of these reasons, the Zoning Commission finds that the PUD project consists of two structures that are two separate and distinct buildings for purposes of the Zoning Regulations.

FINDINGS OF FACT

The Applications, Parties and Hearing

1. On January 23, 2003, JBG/SEFC Venture, L.L.C., the contract purchaser of the property, on behalf of the General Services Administration, the owner of the property, (collectively the "Applicant") filed Applications for the consolidated review and approval of a Planned Unit Development ("PUD") and related Zoning Map amendment. The subject property is located within the Southeast Federal Center on the south side of M Street, S.E., bounded by the proposed extensions of New Jersey Avenue, S.E., and Fourth Street, S.E., on the west and the east respectively, and the proposed dedication of Tingey Street, S.E., to the south. (the "Site").² The Site consists of a portion of U.S. Reservation 17-E, a portion of Lot 800 in Square 770, and a portion of Lot 800 in Square 801. Currently, the Site is owned by the United States Government.
2. The Zoning Commission held a public hearing on September 25, 2003. The case was originally scheduled for public hearing on September 18, 2003; however, due to inclement weather, the hearing was postponed. The Zoning Commission was not able to publicly announce the postponement of the public hearing in accordance with § 3005.9 of the Zoning Regulations. Accordingly, the Zoning Commission waived the requirements of that section at the public hearing on September 25, 2003. All other notice was found to be in accordance with the Zoning Regulations.

²Unless otherwise indicated, all references in this Order to Third Street, Fourth Street, Tingey Street, M Street, or New Jersey Avenue signify Third Street, S.E., Fourth Street, S.E., Tingey Street, S.E., M Street, S.E., and New Jersey Avenue, S.E.

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3. The parties to the case were the Applicant and Advisory Neighborhood Commission ("ANC") 6D, the ANC within which the Site is located.
4. The Zoning Commission requested that the National Capital Planning Commission ("NCPC") provide comments regarding the Applications prior to the Commission taking proposed action on the Applications. NCPC did not respond in the record to this request. NCPC's concerns, as indicated in its March 26, 2003, letter, have been addressed in Finding Nos. 89 through 97. NCPC did respond to the formal referral required by the District of Columbia Charter, as set forth in Finding No. 7.
5. At its public meeting held on October 20, 2003, the Zoning Commission discussed the Applications and determined that a further public hearing on limited designated issues was required. The Commission notified the parties pursuant to § 3025.2 of Title 11 DCMR. The further public hearing was held on November 24, 2003, and was limited to three issues: (1) the traffic impact of the operation of the project if a portion of the original Third Street L'Enfant right-of-way remains private property that is closed to vehicular traffic; (2) the nature of the \$1.5 million proffer by the Applicant as a contribution to area-wide benefits; and (3) whether the proposed development constitutes a single building.
6. At its public meeting held on December 8, 2003, the Zoning Commission took proposed action by a vote of 4-0-1 to approve with conditions the Applications and plans presented at the public hearings.
7. In accordance with the District of Columbia Charter, the proposed action of the Zoning Commission was officially referred to the NCPC. NCPC, by official action dated January 8, 2004, found that the project would not negatively affect the federal interest, except for two elements: the 50-foot setback along M Street and the restriction of the original Third Street L'Enfant right-of-way to pedestrians and "screened" vehicles.
8. The Zoning Commission took final action by a vote of 4-0-1 to approve the Applications at its public meeting held on January 12, 2004.

The Site and the Surrounding Area

9. The Site is situated in Ward 6 and consists of approximately eleven (11) acres in the Southeast Federal Center, which includes a total land area of approximately fifty-five (55) acres. The total land area subject to the Applications is 481,338 square feet, which includes 391,342 square feet for the PUD project and 89,996 square feet for the proposed dedication of the streets. The Site is currently fenced and vacant, except for Building 170, and is located across the street from the Navy Yard/M Street Metrorail Station.
10. The Generalized Land Use Map of the Comprehensive Plan designates the Site, and the entire Southeast Federal Center, in the Federal land use category as well as within the Central Employment Area. The Comprehensive Plan designates the area immediately to

the north in the medium-high density commercial land use category and the area to the west as mixed use for medium-high density commercial land use, production and technical employment, and high-density residential.

11. The Site is not a designated historic landmark nor is it within a historic district. Building 170, however, is eligible for designation as a historic landmark.

Zoning and Development History

12. Due to its status as Federal property, the Site is not zoned.
13. The area immediately to the north is zoned C-3-C. Further to the north and to the northeast, the area is zoned R-5-B. A Hope VI project is planned for the area currently occupied by the Arthur Capper/Carrollsborg Projects. The Zoning Commission has approved CR, C-3-C, and R-5-B zoning as part of a planned unit development for that site.
14. The area immediately to the east of the Southeast Federal Center is devoted to the Navy Yard and is not zoned, because it is Federal land. The areas further east are zoned M, C-M-1, and C-M-2 and include the ramps for the 11th Street Bridge and the project currently being developed as the Maritime Plaza.
15. The areas to the west are currently zoned M and C-M-2. Those areas are slated to be rezoned to CG/CR and are designated within the Capital Gateway Overlay. The properties zoned C-3-C immediately to the north of the Site will also be designated within the Capital Gateway Overlay but will retain the C-3-C zone designation. The purpose of this overlay is to designate specific areas for mixed-use redevelopment as identified in the District of Columbia Comprehensive Plan for the National Capital. In addition to restrictions on use, FAR, and height, many of the properties included within the Capital Gateway Overlay will be subject to an additional development review process.

Southeast Federal Center

16. The Master Plan for the Southeast Federal Center (July 1992) (the "Master Plan") was approved by the NCPC and the Commission on Fine Arts to outline a "prudent developer" strategy for the long term development of the approximately fifty-five (55) acres of Federally-owned land. The Master Plan sought to maximize the benefits from this significant land asset, present a road and utility infrastructure design that provided for flexible development, and establish a reasonable phasing and build-out sequence. At the same time, the Master Plan sought to develop the area in a manner that would attract Federal agencies and enhance the surrounding community.
17. The Master Plan has not been formally updated or revised since 1992, despite GSA's and the District of Columbia's changing views for the area. As opposed to a Federal enclave, the District and GSA seek to enhance the Anacostia waterfront with mixed-use

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development to establish a more welcoming and viable community. The design and strategies for use of the DOT Headquarters are consistent with both the purposes of the Master Plan and the District and GSA's more current goals for the area.

18. The PUD will also implement the goals of the Southeast Federal Center Public Private Partnership Act (Public Law 106-407). This Act permits GSA to enter into an agreement with a private entity to provide for the acquisition, construction, rehabilitation, operation, maintenance or use of the Southeast Federal Center. The goal is to transform the Southeast Federal Center into an exciting mix of land uses consistent with the National Capital Planning Commission's plan entitled "*Extending the Legacy – Planning America's Capital for the 21st Century*" (the "Legacy Plan"). The PUD will promote many of the Legacy Plan's key goals by helping to integrate the Anacostia River into the city's public life and by promoting the specific economic development goal of assisting the transformation of the Southeast Federal Center and adjacent Navy Yard into a lively waterfront of offices, restaurants, shops, and marinas. Additionally, the PUD carries out the goals of the Anacostia Waterfront Initiative, provides economic development in the neighborhood through job creation and commercial activities and brings activity to the Southeast Waterfront.

Existing and Proposed Zoning

19. The Site is currently not zoned. As Federal property devoted to Federal use, the Zoning Regulations and Zoning Map are not applicable. Upon acquisition of the Site by JBG/SEFC Venture, L.L.C., the Site will become subject to zoning.
20. Under the PUD, the zoning of the Site will become C-3-C. The C-3 Districts are designed to accommodate important sub-centers supplementary to the Central Business District. More specifically, the C-3-C District permits medium-high density development, including office, retail, housing, and mixed-use development that is compact in area. The C-3-C District permits a maximum height of ninety (90) feet, with no limit on the number of stories, and a maximum density of 6.5 FAR. Under the PUD guidelines for the C-3-C District, the maximum height may be 130 feet and the maximum density may be 8.0 FAR. Despite the additional density that is permitted for a PUD under the C-3-C District, the Applicant proposes to develop a project with an approximate total density of 3.8 FAR, which is lower than that permitted as a matter-of-right in the C-3-C District.
21. The Office of Planning ("OP") requests that the base zone for the Site be CR to ensure that, if for some reason the project does not proceed, the zoning would be in place for an appropriate alternative development. The purpose of the CR District is to encourage a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, light industrial and other miscellaneous uses. The CR District permits a maximum height of ninety (90) feet, and a maximum density of 6.0 FAR, of which not more than 3.0 FAR may be used for other than residential purposes as identified in § 631.2 of the Zoning Regulations.

The PUD Project

22. The Applicant proposes the construction of two new office buildings to serve as the headquarters for the DOT, consisting of east and west buildings (the "Office Buildings"). The individual sites of the two Office Buildings, on which are also located the other buildings in the project, are separated only by an area that was once the original Third Street L'Enfant right-of-way. This portion of Third Street was closed and the depiction of the right-of-way was removed from the highway plan. The area is now private property. The Applicant intends to configure the area to resemble a public thoroughfare but will not permit travel by non-emergency vehicles. Later, after the federal use ends, the Applicant or its successors will dedicate the area to the District for street purposes. This project is the first major project of the Southeast Federal Center and will serve as the launching pad for all future development in the Southeast Federal Center.
23. The east building will have a maximum height to the top of the parapet of approximately 109 feet and a maximum height to the top of the atrium of approximately 118 feet. The west building will have a maximum height to the top of the parapet of approximately 121 feet and a maximum height to the top of the atrium of 130 feet.
24. The Office Buildings include approximately 1,454,008 square feet of gross floor area or approximately 3.8 FAR. The Office Buildings will include three interior retail spaces for the exclusive use of DOT employees, comprising approximately 26,360 square feet of gross floor area. First, the largest of these spaces is the cafeteria, which includes approximately 18,500 square feet. The cafeteria will be a commercial food service facility to support building occupants and visitors, with seating for approximately 300 to 400 people. The cafeteria will serve as a large conferencing facility for the DOT during the off-peak hours. Second, the project will include a Federally-mandated Randolph-Shepherd store containing approximately 1,237 square feet. The Randolph-Shepherd Act was enacted by Congress to create a vendors program to assist blind individuals in finding employment. As a result, small convenience stores run by the blind are incorporated into Federal buildings. These stores sell soft drinks, candy bars, snack food, and related items. Third, a small DOT store, comprising 1,823 square feet, will be located within the project. This store will primarily sell DOT merchandise, greeting cards, and snacks.
25. The design of the project has been modified throughout the PUD process as a result of discussions with the Office of Planning, District of Columbia Department of Transportation ("DDOT"), the NCPC, and various community groups in an effort to achieve a design that is appropriate for this important location at the gateway to the Southeast Federal Center.
26. The Office Buildings have been designed to read as two "U" shaped wings. The architects have shaped the buildings' expression along New Jersey Avenue, 4th Street, and

Tingey Street to make them read independently, which helps break down the Project's total massing and makes the project appear as if it is comprised of smaller wings.

27. The main entry to the west building on New Jersey Avenue includes a rounded entry portico, which emphasizes the angular New Jersey Avenue façade. The larger scale of the west building's New Jersey Avenue façade reflects the greater width of New Jersey Avenue. Secondary entrances to both the west and east buildings will be located on ^{Third} and Fourth Streets on an axis with the main west building entrance on New Jersey Avenue.
28. The project also includes on-site retail as follows:
 - (1) Adaptive Re-Use of Building 170. The exterior of building 170, located near the intersection of Third and Tingey Streets, will be renovated and its interior converted into a two- or three-story retail structure with up to two partial floors. The Applicant has committed to providing at least 8,000 square feet of retail space on the ground level, with the potential for an additional 10,500 square feet of retail space on the upper levels. Building 170 will be an excellent location for either an upscale national restaurant chain or an independent café or restaurant. The rest of the lower floor of Building 170 can be utilized for kitchen space or subdivided for use by smaller retail establishments. As envisioned, the current design expressly accommodates a high level of flexibility while respecting the historic character of the structure. It is expected that the interior design of Building 170 will be created in conjunction with the selected tenant or tenants for this space and will be designed at that time.
 - (2) New Jersey Avenue and M Street Pavilion. The Applicant will construct a permanent retail pavilion near the intersection of M Street and New Jersey Avenue that will include approximately 1,755 square feet of gross floor area. The retail structure will be free-standing but detailed to match the Office Buildings' base. The Applicant proposes a façade that is primarily glass with stone and precast accents to match the exterior of the Office Buildings. The retail space is recessed on the west side along New Jersey Avenue to provide cover at the entrance. This covered space could also be used as an outdoor seating area. The pavilion will be well-suited for retail due to its proximity to the Metro Station, its highly visible street-front location, and the employee base of DOT.
 - (3) M and Fourth Streets Retail Kiosk. The Applicant will construct a permanent retail kiosk near the intersection of M and Fourth Streets, which will be octagonal in shape and will include approximately 330 square feet of gross floor area. This retail kiosk can be used by either a single vendor or two smaller vendors, such as a newspaper and magazine stand or small, independent food vendor. The structure's supporting piers will be clad in metal, and the roof will be constructed of steel framing and painted metal standing seam sheets. The color palette will

complement that of the Office Buildings as well as complement the historic Navy Yard turret across Fourth Street.

- (4) Seasonal Retail Kiosk Program on M Street. The Applicant proposes to create a vibrant pedestrian culture along M Street by introducing a wide walkway that can be filled with seasonal, semi-permanent, roofed kiosks. The Applicant anticipates that between five and ten kiosks containing approximately thirty (30) square feet each can be located along M Street and used for a variety of specialty retailers and vendors, such as espresso or ice cream stands, flower carts, or local craft merchants and jewelry makers. Each kiosk would be mounted on castors, so that each is mobile and will not damage the sidewalk. When not displaying merchandise, the kiosks can be locked down at night, anchored to the pavement, and located so that they will not impede the pedestrian flow along the sidewalk. This kiosk strategy will encourage a vibrant, dynamic, and interactive sidewalk experience during the warmer months, when pedestrian traffic is heavier. It will also provide an opportunity for small businesses and entrepreneurs in the near Southeast neighborhoods.
- (5) Southwest Plaza Retail Structure. The Applicant will construct a permanent retail structure in the Southwest Plaza, near the intersection of New Jersey Avenue and Tingley Street. This building will contain approximately 3,800 square feet of gross floor area and its design, massing, and materials will complement both the Office Buildings and Building 170. The Southwest Plaza retail structure has been designed so that it can be easily subdivided for either single or multiple tenants, similar to the kiosk structure along M Street. This retail pavilion could house either retail shops or restaurants, depending on the leasing market at the time.
- (6) Commitment to Provide Ground Floor Retail in Future. The Applicant has committed to provide a minimum of 24,000 square feet of publicly-accessible ground floor retail in the Office Buildings at such time as the project is no longer occupied by the DOT or a subsequent Federal tenant. The proposed location of the ground floor retail can be found in the record at Exhibit 43.

Security Issues and Impact on Design

29. The project has three mandatory security requirements that impact its design: (1) no publicly-accessible retail within the Office Buildings' footprints; (2) a fifty-foot (50-foot) defensible perimeter around each of the Office Buildings; and (3) maintaining the closure of the original Third Street L'Enfant right-of-way to vehicular traffic, with the exception of emergency vehicles. These security requirements, including the rationale for each, are detailed in the letter from Norman Y. Mineta, Secretary of Transportation, in the record at Exhibit 26, and the Memorandum from Lee Privett, Director of Security for the DOT, with exhibits, attached as Exhibit H to Supplemental Prehearing Submission, in the record at Exhibits 33 and 33a.

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30. The security requirements proposed for the project have been established based, among other things, on the *Interagency Security Committee, Security Design Criteria for New Federal Office Buildings and Major Modernization Projects*, dated September 30, 1998, as well as other documents that have been identified as "Law Enforcement Sensitive" by Federal Protective Service/Department of Homeland Security. These documents are not available for release to the public.
31. Because the project is designated as a Level IV, or medium risk, Facility, minimum ISC Security Design Criteria require a standoff of fifty (50) feet. Additionally, the standoff distance is in compliance with the Public Buildings Service Commissioner's memorandum of April 26, 2002, directing all new GSA construction or leases to achieve a minimum stand-off distance of fifty (50) feet. This memorandum is included as an exhibit to the memorandum from Lee Privett, attached as Exhibit H to Supplemental Prehearing Submission, in the record at Exhibits 33 and 33a.
32. Within this security perimeter, the DOT security features have been incorporated in such a way as to lessen negative impacts and reduce the perception of a secure perimeter. The Applicant has attempted to achieve this by employing varying elements to blend into the buildings' landscape treatment so that it enriches the streetscape and provides for smaller scale pedestrian amenities. The buildings' security perimeter will be publicly-accessible open space and incorporates a variety of trees, reinforced benches, ornamental bollards, cast iron light posts, and trash cans rather than exclusive use of standard precast or metal bollards to achieve a unique and varied, yet secure two-block streetscape. The Applicant has incorporated extensive above-standard landscaping improvements within this area. These proposed landscape and streetscape enhancements are consistent with the NCPC's recommendations in the Urban Design and Security Plan and should help to define the character of the Southeast Federal Center. The Applicant is also proposing a transportation-themed Site Animation and Activation Program, as indicated in the concept plan attached as Exhibit F to Supplemental Prehearing Submission, in the record at Exhibits 33 and 33a. The concept plan anticipates that at least ten (10), with up to as many as thirty (30); display stations will be permanently and semi-permanently located on-site. These stations will be a variety of shapes and sizes, depending on the information displayed, and will be designed to be pedestrian friendly in both scale and usability.
33. Due to security considerations, unrestricted vehicular access to Third Street by the public would create an unacceptable risk to the project. Security analysis and blast modeling shows that if a device were to detonate on Third Street, multiple blast reflections between the east and west Office Buildings could cause catastrophic damage to both buildings and would result in significant casualties. Therefore, Federal security requirements mandate that the original Third Street L'Enfant right-of-way closure to vehicular traffic be maintained, except for emergency vehicles. Third Street, however, is proposed to be designed as an important pedestrian thoroughfare through the Site Animation and Activation Program, described in Finding No. 32, and will provide pedestrian access from the communities to the north to the Southeast Federal Center and the Anacostia

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River waterfront further to the south. Third Street will therefore contribute toward the provision of open space on Site, which is an important community benefit. In addition, the Applicant has committed to construct Third Street to DDOT standards and specifications for future conversion to a public roadway. At such time as the DOT or a subsequent Federal tenant no longer occupies either of the Office Buildings, the Applicant shall dedicate Third Street in fee to the District.

Parking

34. Under the C-3-C District, 629 parking spaces are required for the Office Buildings and the on-site retail, assuming a twenty-five percent (25%) reduction permitted by § 2104 of the Zoning Regulations. The project will include significantly more parking than required, providing a minimum of 936 parking spaces and fifty (50) bicycle parking spaces in a two-level below-grade parking facility. Entry to the underground garage levels will be access-controlled and all cars will be screened by DOT security personnel at the Third Street security checkpoint prior to entering the garage. In response to concerns of the Office of Planning, the entrance to the underground parking garage was moved from the Southwest Plaza area to underneath the west building of the complex. Because the underground parking is connected below Third Street, a single point of entry is possible.
35. Because the parking provided within the Office Building will not be accessible for those non-DOT patrons of the on-site retail, Gorove Slade Associates prepared a Retail Parking Demand Analysis, to analyze the parking demand projected to be generated by the on-site retail. The Retail Parking Demand Analysis is attached to the Supplemental Prehearing Submission as Exhibit B, in the record at Exhibits 33 and 33a. The analysis concluded that due to the nature of the proposed retail use to serve primarily the users of the Office Buildings and their proximity to existing transit, the parking demand associated with the on-site retail is relatively low. Accordingly, Gorove Slade Associates concluded that the on-street parking proposed as part of the street dedication sufficiently provides between approximately fifty-four (54) and ninety (90) on-street parking spaces, which will more than satisfy the parking demand for the on-site retail.
36. The project also incorporates a Transportation Management Plan, the elements of which are set forth in Exhibit D to the Supplemental PUD Submission, in the record at Exhibit 12.

Loading

37. Under the C-3-C District, three thirty-foot (30-foot) loading berths and one twenty-foot (20-foot) service delivery space are required for the project. The project will include three twelve-foot (12-foot) by fifty-five-foot (55-foot) loading berths and three twelve-foot (12-foot) by thirty-foot (30-foot) service/delivery spaces accessed from Fourth Street.

38. The loading dock for the project has been designed to minimize its impact on existing and future streets around the Southeast Federal Center. For security reasons, all deliveries are pre-screened at an off-site screening facility, at which point the delivery vehicle is scheduled for the delivery prior to arriving at the loading dock. This process substantially mitigates the impact of the loading facility on the surrounding area.
39. In an effort to further manage the loading facilities, and in response to DDOT concerns regarding functioning and possible impacts of the loading area location and design, the Applicant proposes a Loading Dock Management Plan, a copy of which is attached to the Supplemental Prehearing Submission as Exhibit C, in the record at Exhibits 33 and 33a. The Loading Dock Management Plan sets forth the normal and special operating procedures for the loading facility.

Project Mitigation

40. At its meeting of October 20, 2003, the Zoning Commission found that the project requires mitigation for aspects of the proposal arising from Federal security requirements.
41. In response, the Applicant has offered a number of initiatives to mitigate the impact of Federal security requirements. While being of benefit to the community in that they lessen the negative impacts of Federal security requirements, they are not considered project amenities:
- a. The former Third Street right-of-way remaining private property on which regular vehicular traffic is disallowed -- as mitigation, the Applicant had agreed to design the former Third Street right-of-way as a high-quality pedestrian through-way, as detailed in Finding No. 33, to continue to work with DDOT, GSA, the District Water and Sewer Authority ("WASA"), and the OP to finalize the design for the intersection of Tingey and N Streets at the terminus of New Jersey Avenue in order to create an intersection that works operationally as detailed in Finding No. 85, and to participate in a coordination committee to facilitate dialogue among property owners in the M Street corridor to assist DDOT in making a trolley or other "next generation" transit model a reality, as detailed in Finding No. 87.
 - b. The 50-foot setback, significantly larger than that envisioned for other sites in the area -- as mitigation, the Applicant has agreed to incorporate security features into overall landscaping plans to reduce negative impacts and pedestrians' perceptions of a secure perimeter, to attractively design the setback area as publicly-accessible open space, and to incorporate retail spaces and a variety of high-quality landscape materials and features, particularly along M Street, to achieve a unique and varied, yet secure, two-block streetscape, as detailed in Finding No. 32; and
 - c. Lack of publicly-accessible retail on the Site, particularly along M Street -- as mitigation, the Applicant has agreed to the re-use of Building 170 as retail space, the construction of new retail space on M Street at the intersections with New

Jersey Avenue and Fourth Street, the retail kiosk program along M Street, the construction of a new retail structure in the Southwest Plaza, as well as the design of the main floor of both Office Buildings to permit public retail in the future, all as detailed in Finding No. 28.

42. The Zoning Commission views the 50-foot setback as a necessary security measure. However, once neither Office Building is occupied by a Federal tenant, the Commission intends that the facades of both Office Buildings along M Street be moved forward to be consistent with the facades of other nearby buildings fronting on M Street.

Public Benefits and Project Amenities

43. The project incorporates several superior public benefits and project amenities, including the following:
- a. ***Dedication and Improvement of Streets.*** The Applicant has committed to dedicate 89,996 square feet of land area for portions of New Jersey Avenue, Fourth Street, and Tingey Street. The Applicant has also committed to designing and constructing the improvements to these streets, including design and construction of the roadways. The dedication of the land and the opening of these streets accomplish a significant infrastructure upgrade that is required for the development of the remainder of the Southeast Federal Center. In addition, these streets will provide improved public access to the Anacostia River waterfront.
 - b. ***Contribution of \$1.5 Million Toward Area-Wide Benefits.*** The Applicant committed to contributing \$1.5 million toward area-wide benefits, to be spent on a variety of purposes. Subsequent to the initial allocation of these funds and as set forth and discussed at the further public hearing, the Applicant and the Office of Planning agreed that these funds would be applied toward construction and programming of the Anacostia Riverwalk and Trail within ANC 6D.
 - c. ***Contribution to Canal Blocks Park.*** The Applicant has committed to contribute \$2.5 million to the Canal Blocks Park. The redevelopment of these historic parks was deemed by the Office of Planning to be of significant public benefit and a priority in connecting the community with the Southeast Federal Center. A letter confirming this contribution can be found in the record at Exhibit 41.
 - d. ***Comprehensive Signage Program.*** The Applicant will contribute \$75,000 toward the hard and soft costs associated with the development of a comprehensive signage program that will benefit the near Southeast Community by orienting both vehicles and pedestrians towards the Anacostia Waterfront and the developing Southeast Federal Center. The Applicant will work with DDOT and any other appropriate agency to find safe and non-obtrusive locations for this new signage and to develop an appropriate sign design. The proposed signage program would be consistent with the Downtown Business Improvement

District's blue and white way-finding signs seen near many popular tourist destinations and the Mall. Details regarding the signage program can be found in the record at Exhibit 41.

- e. ***Creation of the Southwest Plaza.*** The Applicant has committed to create the Southwest Plaza, which includes approximately 35,000 square feet of publicly-accessible open space. The Southwest Plaza will be a civic plaza across the street from the terminus of New Jersey Avenue where the community can gather just a block from the waterfront. This plaza will likely be used for farmers and produce markets and other scheduled activities and performances that will be open to the community. From time to time, there may be daily activities and performances to encourage visitors to linger along the Anacostia River waterfront to enjoy the outdoors and festive activities on the Southwest Plaza.
- f. ***Enhanced Landscape and Streetscape Materials.*** The project includes enhanced landscape and streetscape materials for approximately 170,000 square feet of open space. This open space will provide significant public gathering opportunities.
- g. ***Environmental Benefits.*** The project includes a number of environmental benefits, including, among others, site erosion and sedimentation control, development on a Brownfield site, bicycle storage, water efficient landscaping, storage and collection of recyclables, and construction waste management. A complete description of the environmental benefits can be found in the record at Exhibit 41.
- h. ***Local Business Opportunities.*** The Applicant has executed a Memorandum of Understanding with the D.C. Local Business Opportunity Commission in order to achieve, at a minimum, the goal of thirty-five percent (35%) participation by small, local, and disadvantaged businesses in the contracted development costs in connection with the design, development, construction, maintenance, and security for the project. This memorandum contributes significantly to the District's goal of ensuring adequate opportunities for small and local businesses to participate in development projects throughout the District. The Applicant has also committed to giving preference in hiring to residents of ANC 6B and ANC 6D.
- i. ***First Source Employment Opportunities.*** The Applicant has also executed a First Source Employment Agreement with the Department of Employment Services ("DOES") in order to achieve the goal of utilizing District of Columbia residents for at least fifty-one percent (51%) of the jobs created by the PUD project. The Applicant will use DOES as its first source for recruitment, referral and placement of new hires for employees whose jobs are created by the PUD. The Applicant has also committed to giving preference in hiring to residents of ANC 6B and ANC 6D.

Flexibility and Development Incentives

44. The Applicant requests the following areas of flexibility from the C-3-C and PUD standards:
- a. Waiver of the requirement that compact car spaces must be in groups of at least five;
 - b. Waiver of the requirement of off-street parking for the retail uses; and
 - c. Waiver of the roof structure setback requirements on the east side of the west Office Building and the west side of the east Office Building, both facing the Third Street pedestrian area.
45. The Applicant requests the following development incentives for the project:
- a. Height of 121 feet to the top of the parapet, with the atrium skylight rising to 130 feet for the west Office Building, as permitted in the C-3-C District and
 - b. Height of 109 feet to the top of the parapet, with the atrium skylight rising to 118 feet for the east Office Building, as permitted in the C-3-C District.

Compliance with PUD Standards

46. The Applications comply with the standards for a PUD set forth in Chapter 24 of the Zoning Regulations.
47. The Zoning Commission finds that the project offers a high level of public benefits, including project amenities, as described in Finding No. 43. The Commission also finds that the Applicant requests a relatively small amount of development incentives and flexibility. Thus, the Applications satisfy the balancing test required in § 2403.8 of the Zoning Regulations.
48. The Site contains approximately 400,000 square feet in land area, which exceeds the minimum area requirement of 15,000 square feet for a PUD in the C-3-C District, in accordance with § 2401.1(c) of the Zoning Regulations.
49. The project has been evaluated under the PUD guidelines for the C-3-C District. The C-3-C District permits development of approximately 2,600,000 square feet of commercial space as a matter-of-right on the PUD Site, or 6.5 FAR, while a PUD under the C-3-C District permits development of approximately 3,200,000 square feet of commercial space on the site, or 8.0 FAR. The project proposes development significantly below the permitted matter-of-right density for the C-3-C District and will be constructed to a maximum height of 130 feet, which is within that permitted for a PUD in the C-3-C District.

50. As the first new development in the Southeast Federal Center, the project will become a highly visible symbol and anchor for the area. It will also serve to spur redevelopment of the Southeast Federal Center and the improvements for the Anacostia River waterfront. Potentially negative impacts arising from Federal security requirements have been mitigated to an acceptable degree.
51. The project will provide an economic boost to both Southeast Washington and the District of Columbia, as indicated in the Economic Impact Analysis attached as Exhibit D to the Supplemental Prehearing Submission in the record at Exhibits 33 and 33a.
52. The project will have no unacceptable impact on traffic at the intersections immediately surrounding the Site. As indicated in the Traffic Impact Study, attached as Exhibit C to the Supplemental PUD Submission, in the record at Exhibit 12, all intersections directly adjacent to the Site will operate at acceptable levels of service upon completion of the project. Keeping the original Third Street L'Enfant right-of-way closed to vehicular traffic creates some impacts on mobility in and around the city. DDOT, however, determined that the Applicant's commitment to providing the area comprising the former Third Street as a high-quality pedestrian access and to helping create light rail facilities along M Street, would lead to mitigation of any impact created by not having Third Street available for vehicular traffic. Although two intersections several blocks from the Site currently operate at unacceptable levels of service and will continue to do so upon completion of the project, these intersections are impacted by regional traffic issues and are being reviewed by the District on a regional basis. Finally, the District's existing water and sewer services are adequate to serve this facility.

Consistency with the Comprehensive Plan

53. The project and the proposed rezoning are consistent with the Generalized Land Use Map of the Comprehensive Plan, which depicts the Site in the Federal land use category as well as within the Central Employment Area.
54. The project is consistent with many of the Comprehensive Plan's major themes, including stabilizing and improving the District's neighborhoods, increasing the quantity and quality of employment opportunities in the District, respecting and improving the physical character of the District, preserving and promoting cultural and natural amenities, and reaffirming and strengthening the District's role as the economic hub of the National Capital Region.
55. The project is consistent with the Economic Development Element, which recognizes that the District is the unchallenged center of Federal government activities, with sixty percent (60%) of all Federal jobs in the region being located in the District as of 1990. The project continues this focus on the District as the center of Federal government activity and promotes the Southeast Federal Center as an important location for Federal government activity.

56. An important goal of the District is to encourage additional development, economic diversification, and job generation in portions of the Central Employment Area outside Downtown. The project's location in the Central Employment Area, but outside of the Downtown area, furthers this goal by providing additional commercial office space, as well as retail space.
57. The Comprehensive Plan also indicates that the District seeks to generate new and productive uses of currently underused commercially- and industrially-zoned lands. Although not zoned, the Site is currently underused and in need of revitalization. Similarly, the project will be the anchor for this area and serve as the catalyst for the revitalization of the entire Southeast Federal Center.
58. The project furthers the Environmental Protection Elements of the Comprehensive Plan, which include protecting the environment of the District, resisting threats to its overall quality, and maintaining and enhancing its positive features. In addition to the environmental clean-up of the Site, the project will help encourage the Anacostia River waterfront initiatives, which will serve to rehabilitate and preserve important natural environs of the District. Moreover, the Applicant will comply with all District and Federal environmental regulations as necessary through the permit process.
59. The basic philosophy of the District's Transportation Element is that by providing for the efficient movement of people and goods within the District and its metropolitan area, the District's transportation network can play a key role in the District's effort to maintain and enhance its function as the economic and cultural hub of the Washington Metropolitan Area. The proximity of the Site to the Navy Yard-M Street Metrorail Station will promote this philosophy and stimulate the use of existing mass transit services because a majority of the project employees and visitors are expected to take Metrorail. Additionally, the project includes a Transportation Management Program.
60. The Urban Design Element states that it is the District's goal to promote the protection, enhancement, and enjoyment of the natural environs and to promote a built environment that serves as a complement to the natural environment, provides visual orientation, enhances the District's aesthetic qualities, emphasizes neighborhood identities, and is functionally efficient. The project has been designed to enhance the physical character of the area, including an architectural design that serves as the entryway to the Southeast Federal Center. The project's massing, articulation, and scale are sensitive to the patterns proposed for development in the area.
61. According to the Land Use Element, the objectives for commercial land are to promote the vitality of the District's commercial areas and to provide for continued growth and vitality of the District's economy and its employment base. The project provides the continued growth and vitality that the District needs for this area and increases the employment base for District residents.

62. The Land Use Element also encourages development that promotes the establishment and growth of mixed use commercial centers at appropriate Metrorail stations to reduce automobile congestion, improve air quality, and reduce reliance on automobiles. The proximity of the project to the Navy Yard-M Street Metrorail Station furthers this objective.
63. According to the Land Use Element, the District's waterfronts and shorelines are great natural assets that must be conserved and protected but that also represent exciting opportunities for the District's future development. The project provides an important opportunity to spur revitalization of the Anacostia River waterfront. Specifically, the project is linked in many ways to the waterfront. The pedestrian and vehicular on-grade connection between M Street and the waterfront is encouraged by the extension of New Jersey Avenue and by the pedestrian thoroughfare along Third Street. These planning strategies help set the stage for future development to the south.
64. The project will fulfill and further the specific objectives for Ward 6, as set forth in the Ward 6 Element of the Comprehensive Plan. Specifically, the Ward 6 Economic Development Element of the Comprehensive Plan states that the ward offers an abundance of economic opportunity within its commercial areas. An objective for Ward 6 is to encourage a range of commercial services through appropriate development of commercial areas, including the M Street corridor from South Capitol Street to north of the 11th Street Bridge.
65. According to the Comprehensive Plan, environmental protection is an issue that has become increasingly important for Ward 6. An objective for Ward 6 is to improve and maintain the watercourse for multiple uses, including recreation, an objective that is furthered by this project.
66. The Ward 6 Transportation Element objectives include providing an adequately balanced circulation system for traffic and supporting the optimum use of mass transit. Primary ingress and egress to the project from the Third Street driveway promotes the optimal circulation of traffic as well as provides for safe, convenient movement of people while minimizing pedestrian-vehicle conflicts. Likewise, the project's proximity to the Navy Yard Metrorail Station provides an important opportunity for the optimum use of mass transit. Similarly, the parking and loading facilities for the project are integrated visually into the area and design of the project. This element also recommends providing improved pedestrian and vehicular access to Anacostia Park recreation areas. The project creates pedestrian gateways to encourage movement from Capitol Hill through the DOT Site onwards toward the waterfront.
67. The Ward 6 Urban Design Element encourages a high quality of architecture consistent with the styles and characteristics of buildings in Ward 6. The project not only creates an important visual link to the U.S. Capitol, but also complements the existing and proposed structures for the area and links the community to the north with the Southeast Federal Center and the Anacostia River waterfront. The project provides important streetscape

improvements in accordance with this element, which serve to enhance the environment in Ward 6.

68. The project is also not inconsistent with the goals of the Federal Elements, including encouraging excellence in the design of Federal buildings to reflect the appropriate character and image of the Federal Government and assuring that Federal facilities are compatible with their surroundings and make a positive contribution to their environment. The project also encourages the location of proposed Federal employment concentrations in appropriate areas that are consistent with the needs of Federal agencies and service to the public, are compatible with local planning objectives and are served by Metrorail and other forms of public transit.
69. The Federal Facilities Element states that the principal offices of cabinet level departments should locate in the Central Employment Area and the Southeast Federal Center. The project furthers both of these policies. Moreover, Federal facilities with special security or safety requirements should make special provisions, to the extent practicable, for commercial, cultural, educational, or recreational activities, which are compatible with the operation of the facility. The Southwest Plaza and the proposed programming for the same, as well as the extensive public open spaces within the required security setbacks, further this goal.
70. The Federal Employment Element states that, in selecting locations for Federal employment, special consideration should be given to the impact on Federal employees, economic development and employment opportunities, and proximity to Metrorail stations. The project is located near the Metrorail and in the Southeast Federal Center and will serve as a primary catalyst for the future redevelopment of the Southeast Federal Center.
71. Additional details regarding consistency with the Comprehensive Plan can be found in the report of Steven E. Sher, attached to the Supplemental Prehearing Submission as Exhibit L, in the record at Exhibits 33 and 33a.
72. The project is consistent with many of the Comprehensive Plan's major themes, and the development is not inconsistent with the Comprehensive Plan.

Office of Planning

73. OP submitted four reports regarding the Applications: its Setdown Report, dated April 4, 2003, which recommended that the Applications be set down for a public hearing; its Final Report, dated September 8, 2003 (the "OP Report"), which recommended approval of the establishment of a base zone of CR, as well as approval of the consolidated PUD and related map amendment from CR to C-3-C, subject to satisfaction of a number of requirements, as outlined in Finding No. 74, a Supplemental Report, dated October 29, 2003 (the "OP Supplemental Report"), addressing the three issues designated for further hearing; and a second Supplemental Report, dated November 24, 2003 (the "Second OP

Supplemental Report"), revising its recommendation regarding the use of the \$1.5 million area-wide amenity.

74. By the Final Report and through testimony presented at the public hearing, OP recommended approval of the application to establish a base zone of CR, as well as approval of the consolidated PUD and related map amendment of C-3-C, subject to the following requirements:
- a. Finalization of agreements required to ensure the financial contribution to Canal Blocks Park and to ensure the nature and timing of the contribution;
 - b. Provision of assurance from the Zoning Administrator that both buildings conform to the Height Act of 1910;
 - c. Provision of detailed landscape plans and material palette, indicating a high quality of landscape materials for all public areas and a varied security barrier program;
 - d. Provision of plans, elevations, and material palette for retail buildings and kiosks, plus a more detailed description and program for seasonal M Street kiosks;
 - e. Provision of a concept master plan for the transportation walking museum, including examples of information panels and activity nodes;
 - f. Provision of detailed elevations for underground parking security stations on Third Street;
 - g. Provision of a concept plan for the proposed comprehensive signage program;
 - h. Resolution of transportation-related requirements, as noted in the DDOT report;
 - i. Assurance of the preservation of the Southwest Plaza in perpetuity as publicly-accessible open space;
 - j. Assurance of the provision of retail space within Building 170 and in new retail units at the corner of New Jersey Avenue and M Street, and New Jersey Avenue and Tingey Street;
 - k. Execution of a First Source Employment Agreement and a Memorandum of Understanding for the Use of Local, Small, or Disadvantaged Business Enterprises;
 - l. Provision of additional information regarding measures to maximum environmental benefits, including storm water management; and

m. Resolution of an outstanding funding commitment to area-wide improvements by the Applicant.

75. The Zoning Commission finds that each of the recommendations set forth in Finding No. 74 has been satisfied or is addressed in this order.

76. OP recommended approval of the Applications with a base zone of CR. OP stated that CR is the appropriate zone designation to ensure that, if for some reason the project does not proceed, the zoning would be in place for an appropriate alternative development. The Zoning Commission concurs with this recommendation. OP supported the C-3-C zoning proposed as part of the PUD.

77. OP testified that the project is generally not inconsistent with Comprehensive Plan Chapter 2 and Chapter 17 (Ward 6) Economic objectives. Specifically, the Site is in the Central Employment Area ("CEA") and would further CEA goals and objectives by encouraging additional development, economic diversification, and job generation in portions of the CEA outside of downtown. OP feels that while the project alone will not provide a mix of land uses that promote increased economic activity in the evenings and weekends as well as during the work day, the PUD supports the creation of a broader mixed-use neighborhood by providing public open space areas and some on-site retail, as well as an influx of workers who will support off-Site retail and entertainment establishments.

Furthermore, although OP had concerns that security requirements will limit the ability of the building to conform to specific objectives set forth in Chapter 7 Urban Design, OP concluded that the proposed Site design measures significantly mitigate these concerns. The Zoning Commission concurs with this finding.

78. The OP Supplemental Report supported the resolution of issues regarding the former Third Street, which had been agreed to by the Applicant and DDOT. The OP Supplemental Report further provided a general structure for use of the Applicant's proffered \$1.5 million amenity for area-wide infrastructure improvements; i.e., the funds would be used off-site and only within the Near Southeast area for tangible capital improvements related to public open space. The OP Supplemental Report further identified ways in which the building could be redesigned in the event that compliance with the Act of 1910 required some modification to the eastern building and recommended that changes to the exterior, if any, be submitted to the Zoning Commission as a minor modification.

79. The Second OP Supplemental Report further defined the \$1.5 million area-wide amenity by specifically proposing that the funds go toward construction and programming of the Anacostia Riverwalk and Trail within the boundaries of ANC 6D. The Commission finds that this final proposal is consistent with the requirements of §2403.13 and, subject to the conditions set forth in the decision section of this Order, is an appropriate and significant amenity to be achieved as part of the PUD.

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80. The Zoning Commission finds that the proposed PUD must comply with the limitations on building height set forth in the Act of 1910. The Commission finds that the two office portions of the project comprise separate buildings and that the height of each building must be determined and measured separately.

District of Columbia Department of Transportation

81. In its report dated September 8, 2003, ("DDOT Report") and through its testimony at the September 25, 2003, public hearing, the District of Columbia Department of Transportation supported the Applications. DDOT submitted a supplemental report on October 8, 2003, ("Supplemental DDOT Report") reaffirming its support for the project. DDOT also submitted a second Supplemental Statement, dated October 27, 2003 (the "Second DDOT Supplemental Report") and the Director of DDOT testified at the further hearing with respect to the impacts resulting from the original Third Street L'Enfant right-of-way remaining closed to vehicular traffic.
82. In the DDOT Report, DDOT indicated that it originally had concerns regarding the fifty-foot (50-foot) defensible perimeter. However, DDOT noted that its agreement with the Applicant to locate the security perimeter two (2) feet from the curb line resolved these concerns. DDOT also noted that the Applicant would be required to obtain a public space permit for all security elements that are in public space, including those improvements within the rights-of-way to be dedicated. As indicated in the Applicant's Post-Hearing Submission and the Supplemental DDOT Report, the Applicant and DDOT agreed that the Applicant will be required to obtain a public space permit only for those security and landscaping features located within the public space along M Street. With respect to all other security and landscaping features that will be located in public space after the street dedication, the Applicant will be required to obtain appropriate building permits as long as such improvements are made prior to the land dedication. The Applicant will coordinate these building permits with the Public Space Division of DDOT so that no further review is necessary upon dedication of the land.
83. DDOT reviewed the traffic impact study prepared by Gorove Slade Associates for the project with regard to trip generation and levels of service for the project. In the Supplemental DDOT Report, DDOT noted that it concurs with the measures proposed by the Applicant to improve traffic movement in the area, including the installation of traffic signals at the intersection of M Street and New Jersey Avenue and the intersection of M and Fourth Streets. DDOT and the Applicant agreed to coordinate the implementation of this installation.
84. DDOT indicated that it was previously concerned with the location and design of the loading dock. In response to these concerns, the Applicant submitted its Loading Dock Management Plan, discussed in Finding No. 39. Despite this document, DDOT was still concerned with management and operation of the loading dock during peak hours. In the Supplemental DDOT Report, DDOT indicated that the Applicant's proposed condition

for prohibitions during peak hours, set forth herein at Condition No. 5, adequately addresses this concern.

85. DDOT supports the dedication of the streets and requests that the Declaration of Dedication, Covenants, and Easements be required as a condition to the PUD. Condition No. 8 addresses this issue. In the DDOT Report, DDOT requested that the Applicant continue to work with DDOT, GSA, WASA, and OP to finalize the design for the intersection of Tingey and N Streets at the terminus of New Jersey Avenue to create an intersection that works operationally. In its Post-Hearing Submission in the record at Exhibit 55, the Applicant agreed.
86. DDOT indicated in the DDOT Report that it supports on-street parking and loading zones for the project and indicated its willingness to work with the Applicant to finalize the location of these spaces.
87. DDOT noted in the DDOT Report, the Supplemental DDOT Report and the Second Supplemental DDOT Report its concern with the former Third Street L'Enfant right-of-way not being immediately available as a public street opened to vehicular traffic. In the Second Supplemental DDOT Report and through the testimony of the Director of DDOT at the further hearing, DDOT reported that it had reached an agreement whereby the Applicant would work with DDOT to create a corridor-based organization focusing on transit improvements. DDOT noted that the impact of having the original Third Street L'Enfant right-of-way remain private property closed to vehicular traffic would be effectively cancelled out if a five to ten percent reduction in trips is achieved by light rail, and that such a reduction is a reasonable outcome for transit of the type being discussed. The Applicant agreed to participate in a coordination committee to facilitate dialogue among property owners in the M Street corridor to assist DDOT in making a trolley or other "next generation" transit model a reality. The Commission finds that the Applicant's commitment to DDOT addresses any outstanding issues regarding the potential traffic impacts of the closure of the original Third Street L'Enfant right-of-way.

NCPC Report

88. NCPC raised issues regarding the project in its March 26, 2003, letter from Patricia E. Gallagher, Executive Director, to Anthony E. Costa of the General Services Administration, which was filed with the Zoning Commission. The Zoning Commission requested that NCPC informally comment on the Applications prior to proposed action. The NCPC did not file any informal comments in the record.
89. NCPC's first issue of concern is regarding the continuation of the original Third Street L'Enfant right-of-way as private property closed to vehicular traffic. NCPC requested that the project's design not preclude the future opening of Third Street, when the security environment improves.

90. The Applicant has agreed to construct former Third Street to DDOT standards and specifications and has agreed dedicate the area for street purposes in the future, as indicated in Condition No. 10. If the Council of the District of Columbia accepts the dedication and amends the highway plan to once again include the right-of-way, the Mayor would be able to open the street. Accordingly, the Zoning Commission finds that this issue has been resolved.
91. NCPC's second issue of concern is regarding the lack of retail within the Office Buildings, particularly along M Street. NCPC requested that retail be incorporated into the project at the corner of M Street and New Jersey Avenue.
92. The project incorporates a retail pavilion at the intersection of M Street and New Jersey Avenue as well as additional on-site retail as described in Finding No. 28. In addition, as indicated in Condition No. 7, the Applicant has designed the Office Buildings such that publicly-accessible ground floor retail can be incorporated along M Street at the end of the DOT's tenancy or that of a subsequent Federal agency. Accordingly, the Zoning Commission finds that this issue has been resolved.
93. NCPC's third issue of concern is the fifty-foot (50-foot) setback along M Street. NCPC requested that if the fifty-foot (50-foot) setback is retained, the sidewalk be designed as a pedestrian environment, with trees and benches that will provide an amenity and access to ground floor retail at such time as retail can be developed within the building.
94. The project includes an overall landscape plan that incorporates attractive hardscape and landscape to create a pedestrian-oriented area along M Street and through the Third Street pedestrian corridor. In addition, the Applicant proposes a seasonal retail kiosk program along M Street during appropriate times of the year, as described in Finding No. 28(4). Accordingly, the Zoning Commission finds that this issue has been resolved.
95. NCPC's fourth issue of concern is the loading dock. NCPC requested that the Applicant explore the possibility of reducing the loading area to a single bay and curb cut on Fourth Street.
96. The Applicant has worked extensively with DDOT to create an appropriate loading area for the project. As discussed in Finding No. 39, the Applicant proposes a Loading Dock Management Plan to minimize the impact of the loading area on existing and future streets in the Southeast Federal Center, as well as the pedestrian experience along Fourth Street. As part of that plan, the Applicant will pre-screen its deliveries off-site and maintain the doors of the loading area in the down position at all times, except when trucks are entering or exiting the loading area. Furthermore, certain types of loading are prohibited during the commuter rush hour periods, as indicated in Condition No. 5. Accordingly, the Zoning Commission finds that this issue has been resolved.
97. The formal response of NCPC to the referral of the proposed action from the Zoning Commission is noted in Finding No. 7, above.

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ANC 6D Report and Testimony

98. By letter dated September 10, 2003, ANC 6D indicated that it voted at its September 8, 2003, duly noticed public meeting to support the PUD with conditions.
99. In its letter, ANC 6D commended the Applicant for excellent community outreach through the planning stage and for maintaining an on-going dialogue with the ANC. In particular, the ANC noted that the Applicant's efforts to create a community-friendly environment in the face of security requirements deserved recognition. The ANC concluded that the project meets the standards for community benefits required of a PUD.
100. The ANC supports the list of required clarifications and provisions listed in the OP report dated September 8, 2003, including the desire to see ground-floor retail along M Street in the future. The ANC differs with OP in that it supports the fifty-foot (50-foot) setback, given the Applicant's proposed landscaping and usage.
101. The ANC recommends that the Zoning Commission require/allow the following from the Applicant prior to final approval of the PUD:
- a. Flexibility in building design and road use in the PUD that would allow for retail and improved public access to the waterfront if conditions change.
 - b. GSA's pending Environmental Impact Study ("EIS") for the Southeast Federal Center be included in this PUD as additional information to allow for traffic and parking issues to be evaluated in a broader context.
102. Ed Johnson appeared at the hearing on behalf of ANC 6D and testified in support of the project. Mr. Johnson testified that, because the EIS requested in the ANC's letter would not be available for several months, the ANC would agree that the inclusion of a draft of this EIS be made part of the record to allow for a review of the cumulative effects of the project.
103. The Zoning Commission finds that the conditions below, including Conditions Nos. 7 and 10, provide sufficient flexibility for the project such that, if conditions change, the project will incorporate ground floor retail along M Street and provide public access to the waterfront via Third Street.
104. The Zoning Commission further finds that the submission of the draft EIS is not necessary. The traffic report by Gorove Slade Associates filed as Exhibit C to the Supplemental PUD Statement, in the record at Exhibit 12, and the Supplemental Third Street Analysis prepared by Gorove Slade filed as Exhibit C to the Prehearing Submission, in the record at Exhibits 14 and 14a, analyze traffic and parking in the larger context and provide more than a sufficient basis on which the Zoning Commission can base its final evaluation of the traffic impact of this project in relation to other proposals.

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105. By letter dated November 24, 2003, ANC 6D advised the Zoning Commission that it had been kept abreast of the work by the Applicant, OP, and DDOT to address the Commission's concerns, that the Applicant's responses to those issues fully addressed any possible community concerns and that the project meets and often exceeds the standards for community benefits required of a PUD. In light of the general consensus reached, the Zoning Commission agrees.
106. The Zoning Commission afforded the views of ANC 6D the "great weight" to which they are entitled.

ANC 6B Report

107. By letter dated August 19, 2003, ANC 6B indicated that it voted at its June 10, 2003, regularly-scheduled meeting to support, with conditions, the Applications. ANC 6B requested party status but did not participate at the hearing.
108. In its letter, the ANC commended the Applicant for its efforts to work with the community on the project. The ANC noted that the community's concerns have been addressed in both the design of the building and the area around the building and in the package of public benefits provided. In the opinion of the ANC, the design of the building mitigates (to the extent possible) the sense of a barrier between the neighborhoods to the north and south of M Street. Landscaping and the use of open space, including on the corner of M Street and New Jersey Avenue, have helped in mitigating this problem. In the ANC's view, the encouragement of street retail along M Street is a key to creating a vibrant community and is a creative way to overcome the security requirements of the project. The ANC noted that it appreciates that the building is designed for future retail at street level if the security requirements change in the future.
109. The ANC recommended the following conditions to the PUD:
- a. Include a requirement for a mix of retail and impose restrictions on certain types of retail (specifically, fast food) that are similar to those contained in the 8th Street Overlay District.
 - b. Subject the private open space along M Street to public space regulations in order to ensure community input into the use of that area.
 - c. Give priority to those people in the immediate area, especially current residents of the Capper/Carrollburg area, for local employment opportunities.
110. With respect to the requested conditions in Finding No. 109, the Zoning Commission finds as follows:
- a. The Zoning Commission finds that a limitation on the types of retail for the on-site retail is not appropriate or necessary in this case. There are no similar

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limitations that apply to retail uses as part of the proposed Southeast Federal Center Overlay. Furthermore, the base zoning of the 8th Street Overlay District is C-2, not C-3-C, and serves a different community of users.

- b. The Zoning Commission does not have jurisdiction to subject private space to public space regulations. Furthermore, the private open space along M Street must be used and constructed in accordance with this Order, which will ensure that the public input thus far will be incorporated into that design.
 - c. The Zoning Commission finds that the Applicant has agreed to this condition, as set forth herein at Conditions Nos. 22 and 23.
111. The Zoning Commission afforded the views of ANC 6B the "great weight" to which they are entitled.

Letters and Testimony in Support

112. Stephen M. Green, Office of the Deputy Mayor for Planning and Economic Development, appeared at the hearing and testified on behalf of the Mayor in support of the project. His letter can be found in the record at Exhibit 48.
113. Robert Siegel, a major property owner in the area and the Single Member District Representative for ANC 6D07, the Single Member District within which the project is located, testified in support of the project.
114. Alice Patterson, the Community Relations Director for Clark Construction, and Kendrick Evan, an LSDBE participant, testified in support of the project and as to their success in working with the Applicant on LSDBE programs in the past.
115. Diana Dacalu from the Natural Resources Defense Council testified in support of the program and requested that the Zoning Commission consider a requirement for low-impact development and stormwater management.
116. Congresswoman Eleanor Holmes Norton filed a letter in support of the project, in the record at Exhibit 27. Congresswoman Norton noted that she has been a major supporter of the project from its inception and cited the importance of retaining the DOT Headquarters building in the District. In addition to the economic benefits of the project, she commended the many amenities that will be associated with the project, including public open space, the on-site retail and the contribution to the Canal Blocks Park.
117. Councilmember Sharon Ambrose filed a letter in support of the project, in the record at Exhibit 29. Councilmember Ambrose offered her full support for the project and noted the positive and lasting impact that it will have on the near Southeast community. Councilmember Ambrose recognized the importance of this development as a catalyst for the redevelopment of the Southeast Federal Center.

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118. Numerous community groups filed letters of support, identifying the Southwest Plaza and the community programming that will take place therein as major reasons for their support. These letters can be found in the record at Exhibit 38.
119. The record includes numerous other letters in support of the project, citing those reasons already identified.

Letters and Testimony in Opposition

120. No person or party appeared in opposition to the Applications.
121. The record does not include any letter in opposition to the project.

CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the PUD process is designed to encourage high-quality development that provides public benefits. 11 DCMR § 2400.1. The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare, and convenience." 11 DCMR § 2400.2.
2. Under the PUD process of the Zoning Regulations, the Zoning Commission has the authority to consider this application as a consolidated PUD. 11 DCMR § 2402.3. The Commission may impose development conditions, guidelines, and standards that may exceed or be less than the matter-of-right standards identified for height, FAR, lot occupancy, parking, loading, yards, or courts. 11 DCMR § 2400.5. The Zoning Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the BZA. 11 DCMR § 2405.7.
3. The development of this project carries out the purposes of Chapter 24 of the Zoning Regulations to encourage well planned developments that will offer a variety of building types with more attractive and efficient overall planning and design, not achievable under matter-of-right development.
4. The proposed PUD meets the minimum area requirements of § 2401.1 of the Zoning Regulations and the contiguity requirement of § 2401.3.
5. The PUD is within the applicable height and bulk standards of the Zoning Regulations, and the height and density will not have a significant adverse effect on any nearby properties. The office and retail uses proposed for this project are appropriate on the Site and will serve as a catalyst for the revitalization of the Southeast Federal Center. The impact of the project on the surrounding area and on the operation of city services and facilities is not unacceptable. Accordingly, the Applications should be approved.

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6. The Applications can be approved with conditions to ensure that any potential adverse effects on the surrounding area from the PUD will be mitigated.
7. The east and west Office Buildings are two separate buildings and each building has its own measuring point pursuant to the Zoning Regulations and the Height Act of 1910. Therefore, the height of each building must be determined and measured separately.
8. Pursuant to 11 DCMR § 2405.3, the Applications seek flexibility from the requirement that compact car spaces be in groups of at least five, the roof structure setbacks, and the availability and accessibility of parking space for the on-site retail. The Applications seek development incentives for the density and height of the project as permitted in the CR District. The project benefits and amenities, identified in Finding No. 43, are sufficient trade-off for the flexibility and development incentives requested.
9. Approval of the Applications is appropriate because the project is consistent with the proposed future character of the area.
10. Approval of this PUD and change of zoning is not inconsistent with the Comprehensive Plan.
11. The Commission is required by D.C. Official Code § 1-309.10(d) (2001) to give "great weight" to the affected ANC's recommendations. The Commission has carefully considered ANC 6B's report and ANC 6D's report and testimony. The Commission has addressed, through the conditions imposed in this Order, the ANC's specific issues and concerns.
12. The approval of the Applications will promote the orderly development of the Site in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Zoning Map of the District of Columbia.
13. The rezoning of the Site to C-3-C for the PUD, with a base zone of CR, is consistent with the purposes and objectives of zoning as set forth in the Zoning Enabling Act, D.C. Official Code § 6-641.01 *et seq.* (2001).
14. Notice was provided in accordance with the Zoning Regulations and applicable case law.
15. The Applications are subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia orders **APPROVAL** of the Applications for

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consolidated review of a Planned Unit Development and for a Zoning Map amendment from unzoned to C-3-C for the PUD, with a base zone of CR. This approval is subject to the following guidelines, conditions and standards:

1. The PUD shall be developed substantially in accordance with the plans prepared by DMJM Design and Michael Graves Architect, P.C., dated August 22, 2003, in the record at Exhibits 33 and 33a, as supplemented by the drawings dated September 18, 2003, in the record at Exhibit 43, (collectively, the "Plans") as modified by the guidelines, conditions, and standards herein.
2. The PUD shall be two office buildings, consisting together of approximately 1,454,008 square feet of gross floor area (the "Office Buildings"), with an approximate zoning density of 3.7 FAR. The PUD shall also include on-site retail of at least 13,900 square feet of gross floor area, as described in detail in Condition No. 6. The total project, including the on-Site retail, shall have an approximate density of 3.8 FAR.
3. The west Office Building shall have an approximate height of 121 feet to the top of the parapet and a maximum height of 130 feet to the top of the atrium, as measured in accordance with the Zoning Regulations. The east Office Building shall have an approximate height of 109 feet to the top of the parapet and a maximum height of 118 feet to the top of the atrium, as measured in accordance with the Zoning Regulations. The project may include a roof structure with a height not to exceed eighteen feet, six inches, with setbacks as indicated in the Plans. The project shall comply with the Height Act of 1910. The Applicant shall have the flexibility to modify the atrium to comply with the Height Act of 1910.
4. The project shall include a minimum of 936 parking spaces and fifty (50) bicycle parking spaces in the below-grade parking garage. The Applicant shall have flexibility to arrange compact cars in groups of less than five contiguous spaces with access from the same aisle.
5. The project shall include three twelve-foot by fifty-five-foot loading berths and three twelve-foot by thirty-foot service/delivery spaces as shown on the Plans. Access to the loading facilities for trucks that are larger than thirty feet is prohibited between the hours of 7:00-9:00 AM and 4:30-6:30 PM on weekdays, excluding legal holidays. Access to loading facilities is permitted at all times for trucks that are thirty feet or smaller. This restriction shall not apply to the loading facility until nine months after the issuance of the principal certificate of occupancy for the building, or during such move-in or move-out periods as may be required during building renovations or re-tenanting of the buildings. The Applicant shall implement the Loading Dock Management Plan as referenced in Finding No. 39.

6. The Applicant shall provide retail as follows:
 - a. Adaptive re-use of Building 170 with a minimum of 8,000 square feet of gross floor area at ground level, with the possibility of incorporating approximately an additional 10,500 square feet of gross floor area within Building 170 on the upper levels;
 - b. Construction of the Southwest Plaza retail building containing approximately 3,815 square feet of gross floor area;
 - c. Construction of a retail pavilion at the corner at New Jersey Avenue and M Street as shown on the Plans, containing approximately 1,755 square feet of gross floor area;
 - d. Construction of a retail kiosk at the corner of Fourth and M Streets, as shown on the Plans, containing approximately 330 square feet of gross floor area; and
 - e. The Applicant shall implement a seasonal retail kiosk program in accordance with the concepts identified at Exhibit 41 in the record.
7. The Applicant shall provide a minimum of 24,000 square feet of gross floor area for publicly-accessible ground floor retail along M Street in the Office Buildings at such time as the DOT or any subsequent Federal tenant no longer occupies the Office Buildings. The Applicant may provide additional retail in the Office Buildings at any time.
8. The Applicant shall dedicate in fee to the District of Columbia portions of New Jersey Avenue, Fourth Street and Tingey Street (the "Dedicated Streets"), as indicated in the Street Re-Opening file in the Office of the Surveyor, known as S.O. 03-1420. The Applicant shall record a covenant acceptable to DDOT and the Office of Corporation Counsel evidencing the dedication and grant of easements for the Dedicated Streets. This covenant must be filed prior to the Applicant's receiving a certificate of occupancy for either of the Office Buildings.
9. The Applicant shall design and construct the Dedicated Streets in accordance with the DDOT standards and specifications.
10. The original Third Street L'Enfant right-of-way, between M and Tingey Streets ("Third Street"), is part of the Site and therefore will remain private property. The owner of the property may restrict the use by or disallow vehicles from traveling along this private thoroughfare, but shall permit travel by emergency vehicles. Third Street shall be improved by the Applicant in accordance with the Plans to serve as an open-air pedestrian thoroughfare and to provide access for emergency vehicles. The Applicant shall construct Third Street to DDOT standards and specifications for future conversion to a public roadway. At such time as the DOT or a subsequent Federal tenant no longer occupies the Office Buildings, the Applicant shall dedicate Third Street to the District. The dedication shall include at least the surface of Third Street and such subsurface area

as is needed for the installation of water and sewer lines and other public infrastructure. The Applicant shall improve Third Street for use as a public roadway in accordance with DDOT standards and specifications. In the event that the Council of the District of Columbia does not accept the dedication, the Applicant shall be relieved of the requirement under this Order to dedicate Third Street as a public street.

11. The Applicant shall construct and maintain the Site Animation and Activation Plan in accordance with the concept plan submitted as Exhibit E in the Prehearing Submission, in the record at Exhibits 14 and 14a.
12. The Applicant shall expend \$75,000 towards a Comprehensive Signage Program, as described in the record at Exhibit 41, that will include the Canal Blocks Park and the Hope VI community north of the Site. This program will be implemented in coordination with DDOT.
13. Prior to the issuance of a certificate of occupancy for either of the Office Buildings, the Applicant shall contribute \$2,500,000 to the Canal Park Development Association for the development of Canal Blocks Park.
14. Prior to the issuance of a certificate of occupancy for either of the Office Buildings, the Applicant shall contribute \$1.5 million to the District of Columbia. The payment shall be accompanied by a written statement indicating that the payment is made in compliance with this Order and that the District may not use the money for any purpose other than for construction and programming of the Anacostia Riverwalk and Trail located within ANC 6D. The Applicant shall advise the Commission if the District indicates that it is unwilling or unable to use the money for this purpose.
15. The Project shall include the creation of the Southwest Plaza, including approximately 35,000 square feet of landscaped, publicly-accessible open space. This plaza shall be preserved in perpetuity as publicly-accessible open space, unless this Condition is modified by the Zoning Commission.
16. The Applicant shall include landscaping improvements for the project as indicated in the Plans. The Applicant or its successors shall maintain all landscaping improvements.
17. Landscaping and security improvements in the public space along M Street shall be in accordance with the Plans, as approved by the Public Space Division of DDOT. The Applicant or its successors shall maintain all landscaping improvements in the public space.
18. The Applicant shall implement a Transportation Management Plan as set forth in the Applicant's Traffic Impact Study dated March 14, 2003, attached as Exhibit C to the Supplemental PUD Statement filed with the Commission on March 19, 2003, and found in the record at Exhibit 12.

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19. The Applicant shall work with the DDOT to create a corridor-based organization focusing on transit improvements. This organization will support the evaluation and implementation of a means for property owners on the M Street corridor to assist in financing a portion of the capital and operating costs for the "next generation" of transit on the M Street corridor. This model may be consistent with the one used to finance construction of the New York Avenue Metrorail Station. The Applicant shall participate in a coordination committee to facilitate dialogue among property owners along the M Street corridor to assist the DDOT in making a trolley or other "next generation" transit model a reality.
20. The Applicant shall work with the DDOT to install a new traffic signal at the intersection of New Jersey Avenue and M Street and to install a new traffic signal at the intersection of Fourth and M Streets. The Applicant shall bear the cost of the installation of these two traffic signals.
21. The Applicant shall work with DDOT, GSA, WASA, and OP to finalize the design of the intersection of Tingey and N Streets at the terminus of New Jersey Avenue to create an operational and safe intersection.
22. The Applicant shall abide by the terms of the executed Memorandum of Understanding with the D.C. Local Business Opportunity Commission in order to achieve the target goal of thirty-five percent participation by local, small, and disadvantaged businesses in the contracted development costs in connection with the design, development, construction, maintenance, and security to be created as a result of the PUD project. In addition, the Applicant shall give preference in hiring to residents of ANC 6B and ANC 6D. The Applicant shall provide information regarding available jobs created by the project to ANC 6B and ANC 6D, who will be responsible for disseminating this information to the surrounding communities. After completion of construction of the project, the Applicant shall provide a written status report to the Zoning Commission and the D.C. Local Business Opportunity Commission regarding compliance with this agreement.
23. The Applicant shall abide by the terms of the executed First Source Employment Agreement with the Department of Employment Services in order to achieve the goal of utilizing District of Columbia residents for at least fifty-one percent of the new jobs created by the PUD project. In addition, the Applicant shall give preference in hiring to residents of ANC 6B and ANC 6D. The Applicant shall provide information regarding available jobs created by the project to ANC 6B and ANC 6D, who will be responsible for disseminating this information to the surrounding communities. After completion of construction of the project, the Applicant shall provide a written status report to the Zoning Commission and the Department of Employment Services regarding compliance with this agreement.
24. The Applicant shall have flexibility with the design of the PUD in the following areas:

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- a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atrium, mechanical rooms, elevators, escalators, and toilet rooms, provided that the variations do not materially change the exterior configuration of the building;
 - b. To make minor modifications to the location and design of the Southwest Plaza retail building, the retail building at the corner of New Jersey Avenue and M Street, and the retail kiosk at the corner of Fourth and M Streets, provided that the structures and their locations are generally consistent with those shown on the Plans;
 - c. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction;
 - d. To make minor refinements to exterior materials, details, and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylights, architectural embellishments and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit or any other applicable approvals; and
 - e. To make refinements to the garage configuration, including layout, number of parking spaces, and/or other elements, as long as the number of parking spaces does not decrease below a minimum of 936 spaces.
25. No building permit shall be issued for this PUD until the Applicant has recorded a covenant in the land records of the District of Columbia, between the Applicant, the owners (if other than the Applicant), and the District of Columbia, that is satisfactory to the Office of the Corporation Counsel and the Zoning Division of the Department of Consumer and Regulatory Affairs (DCRA). Such covenant shall bind the Applicant and all successors in title to construct on and use this property in accordance with this Order or amendment thereof by the Zoning Commission.
 26. The Office of Zoning shall not release the record of this case to the Zoning Division of DCRA until the Applicant has filed a copy of the covenant in the records of the Zoning Commission.
 27. The PUD approved by the Zoning Commission shall be valid for a period of two years from the effective date of this Order. Within such time, an application must be filed for a building permit as specified in 11 DCMR § 2409.1. Construction shall begin within three years of the effective date of this Order.
 28. Pursuant to § 267 of the Human Rights Act of 1977, D.C. Official Code § 2-1402.67 (2001), the Applicant is required to comply fully with the provisions of the Act, and this order is conditioned upon full compliance with those provisions. Nothing in this order

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shall be understood to require the Zoning Division of DCRA to approve permits if the Applicant fails to comply with any provision of the Human Rights Act.

29. In the event that the PUD expires because 1) the PUD covenant is not recorded in the land records of the District of Columbia, 2) the time periods set forth in Condition No. 27 are not met, or 3) no extension for the time periods set forth in Condition No. 27 is requested or approved, then the Site shall be zoned CR.

Vote of the Zoning Commission taken at its public meeting held on December 8, 2003: 4-0-1 (Carol J. Mitten, Anthony M. Hood, John G. Parsons, and Peter G. May in favor, James H. Hannaham, not present, not voting)

The order was adopted by the Zoning Commission at its public meeting on January 12, 2004, by a vote of 4-0-1 (Carol J. Mitten, Anthony M. Hood, John G. Parsons, and Peter G. May in favor, James H. Hannaham, not present, not voting).

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register*; that is on _____.

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